

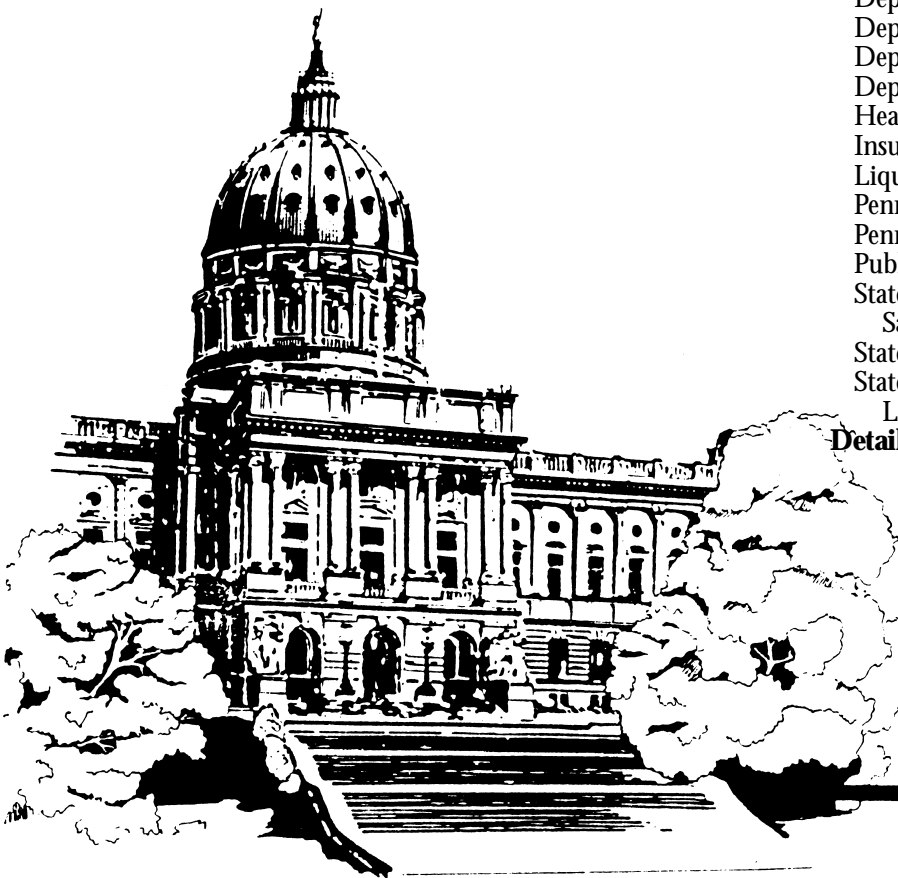
PENNSYLVANIA BULLETIN

Volume 35
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Number 2
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Agencies in this issue:

The Governor
The General Assembly
The Courts
Delaware River Basin Commission
Department of Banking
Department of Education
Department of Environmental Protection
Department of General Services
Department of Health
Department of Public Welfare
Department of Revenue
Department of Transportation
Health Care Cost Containment Council
Insurance Department
Liquor Control Board
Pennsylvania Infrastructure Investment Authority
Pennsylvania Public Utility Commission
Public School Employees' Retirement Board
State Board of Vehicle Manufacturers, Dealers and
Salespersons
State Police
State Registration Board for Professional Engineers,
Land Surveyors and Geologists

Detailed list of contents appears inside.



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No. 362, January 2005

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CONTENTS

THE GOVERNOR

Proclamations

| | |
|---|-----|
| Implementing the National Incident Management System..... | 196 |
|---|-----|

THE GENERAL ASSEMBLY

COMMISSION ON SENTENCING

Proposed Rulemaking

| | |
|--|-----|
| Proposed revisions to sentencing guidelines..... | 198 |
|--|-----|

Notices

| | |
|-------------------------|-----|
| Meeting schedules | 198 |
|-------------------------|-----|

THE COURTS

DISCIPLINARY BOARD OF THE SUPREME COURT

| | |
|---|-----|
| Notice of disbarment (3 documents)..... | 252 |
| Notice of suspension | 252 |

LOCAL COURT RULES

Clearfield County

| | |
|--|-----|
| Local Rules of Civil Procedure; 2004-29-MD | 246 |
|--|-----|

Delaware County

| | |
|---|-----|
| Adoption of local rule 1042.21 medical professional liability actions; motions for mediation; 00-3708 ... | 251 |
|---|-----|

MINOR COURT CIVIL RULES

| | |
|---|-----|
| Technical amendments concerning execution of judgments for money..... | 245 |
|---|-----|

SUPREME COURT

| | |
|--|-----|
| Law clerks employed by judges of the courts of the Unified Judicial System of Pennsylvania; no. 267 judicial administration; doc. no. 1..... | 252 |
|--|-----|

EXECUTIVE AGENCIES

DELAWARE RIVER BASIN COMMISSION

Notices

| | |
|----------------------------------|-----|
| Meeting and public hearing | 261 |
|----------------------------------|-----|

DEPARTMENT OF BANKING

Notices

| | |
|-----------------------------|-----|
| Action on applications..... | 263 |
|-----------------------------|-----|

DEPARTMENT OF EDUCATION

Notices

| | |
|--------------------------------|-----|
| Federal Even Start grants..... | 264 |
|--------------------------------|-----|

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices

| | |
|--|-----|
| Applications, actions and special notices..... | 266 |
| Clean Water State Revolving Fund; Federal FY 2004 and 2005 project priority list | 309 |

Request for comment and notice of public meeting for the proposed total maximum daily load (TMDL) developed for:

| | |
|---|-----|
| Aylesworth Creek, Lackawanna County | 293 |
| Bear Run in Clearfield, Indiana and Jefferson Counties | 294 |
| Bens Creek Watershed in Cambria County..... | 294 |
| Curleys Run, Grimes Run and Sandy Creek in Clearfield County..... | 295 |
| Dents Run in Elk and Cameron Counties | 295 |
| Grassy Island Creek, Lackawanna County..... | 295 |
| Lackawanna River in Lackawanna, Luzerne, Susquehanna and Wayne Counties..... | 295 |
| Lick Run in Clearfield County..... | 296 |
| Powderly Creek, Lackawanna County | 296 |
| Spring Run Watershed in Cambria County | 296 |
| Wilson Creek, Lackawanna County | 297 |
| Technical Advisory Committee on Diesel-Powered Equipment meeting cancellation | 297 |
| Water Resources Advisory Committee meeting cancellation..... | 297 |

DEPARTMENT OF GENERAL SERVICES

Notices

| | |
|----------------------------------|-----|
| State contracts information..... | 337 |
|----------------------------------|-----|

DEPARTMENT OF HEALTH

Notices

| | |
|---|-----|
| Application for exception | |
| Geisinger Medical Center | 298 |
| The Surgery Center at Britton Lake, LLC..... | 298 |
| Decisions on requests for exceptions to health care facility regulations..... | 298 |

DEPARTMENT OF PUBLIC WELFARE

Notices

| | |
|----------------------------------|-----|
| Inpatient hospital services..... | 303 |
|----------------------------------|-----|

DEPARTMENT OF REVENUE

Rules and Regulations

| | |
|--|-----|
| Corrective amendment to 61 Pa. Code § 32.34(a) (3)(iii)(G) | 256 |
|--|-----|

Notices

| | |
|---|-----|
| Pennsylvania High Card instant lottery game | 304 |
|---|-----|

DEPARTMENT OF TRANSPORTATION

Notices

| | |
|---------------|-----|
| Finding | 306 |
|---------------|-----|

HEALTH CARE COST CONTAINMENT COUNCIL

Notices

| | |
|-------------------------|-----|
| Meeting schedules | 307 |
|-------------------------|-----|

INSURANCE DEPARTMENT

Notices

| | |
|--|-----|
| Conseco Senior Health Insurance Company; rate increase filing for long term care policy 11001 and 11006; rate filing | 307 |
| Review procedure hearings; cancellation or refusal of insurance | 307 |

Now Available Online at <http://www.pabulletin.com>

Review procedure hearings under the Unfair Insurance Practices Act 308

LIQUOR CONTROL BOARD

Notices

Expiration of leases 308

PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY

Notices

Clean Water State Revolving Fund; Federal FY 2004 and 2005 project priority list 309

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Notices

Water service (2 documents) 335

PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

Notices

Hearing scheduled 335

STATE BOARD OF VEHICLE MANUFACTURERS, DEALERS AND SALESPERSONS

Notices

Bureau of Professional and Occupational Affairs v. Maureen Campellone; doc. no. 1213-60-2003 335

STATE POLICE

Rules and Regulations

Use of unmarked vehicles 254

STATE REGISTRATION BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS AND GEOLOGISTS

Proposed Rulemaking

Biennial renewal fees and examination fees 258

READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND PENNSYLVANIA CODE

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Documents

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

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

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

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Printing Format

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

Fiscal Notes

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

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

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List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2005.

| | | | |
|--|-----|--|--------------|
| 4 Pa. Code (Administration) | | 225 Pa. Code (Rules of Evidence) | |
| Statements of Policy | | Adopted Rules | |
| 9 | 20 | VIII..... | 8 |
| 28 Pa. Code (Health and Safety) | | 231 Pa. Code (Rules of Civil Procedure) | |
| Adopted Rules | | Proposed Rules | |
| 18 | 14 | 200 | 9 |
| 37 Pa. Code (Law) | | 246 Pa. Code (Minor Court Civil Rules) | |
| Adopted Rules | | Adopted Rules | |
| 42 | 254 | 200 | 10 |
| 49 Pa. Code (Professional and Vocational Standards) | | 300 | 10 |
| Proposed Rules | | 500 | 10 |
| 37 | 258 | Proposed Rules | |
| 61 Pa. Code (Revenue) | | 400 | 245 |
| Adopted Rules | | 255 Pa. Code (Local Court Rules) | |
| 32 | 256 | Unclassified | 12, 246, 247 |
| 204 Pa. Code (Judicial System General Provisions) | | | |
| Proposed Rules | | | |
| 303 | 198 | | |

THE GOVERNOR

GOVERNOR'S OFFICE

Proclamation

Implementing the National Incident Management System

December 20, 2004

Whereas, In Homeland Security Directive (HSPD)-5, the President directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for federal, state, local, and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to, and recover from domestic incidents, regardless of cause, size or complexity; and

Whereas, the collective input and guidance from all federal, state, local, and tribal homeland security partners has been, and will continue to be, vital to the development, effective implementation and utilization of a comprehensive NIMS; and

Whereas, it is necessary that all federal, state, local, and tribal emergency agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management; and

Whereas, to facilitate the most efficient and effective incident management it is critical that federal, state, local, and tribal organizations utilize standardized terminology, standardized organizational structures, interoperable communications, consolidated action plans, unified command structures, uniform personnel qualification standards, uniform standards for planning, training, and exercising, comprehensive resource management, and designated incident facilities during emergencies or disasters; and

Whereas, the NIMS standardized procedures for managing personnel, communications, facilities and resources will improve the state's ability to utilize federal funding to enhance local and state agency readiness, maintain first responder safety, and streamline incident management processes; and

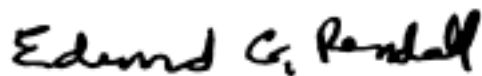
Whereas, the Incident Command System components of NIMS are already an integral part of various incident management activities throughout the state, including all public safety and emergency response organizations training programs; and

Whereas, the National Commission on Terrorist Attacks (9-11 Commission) recommended adoption of a standardized Incident Command System.

Now Therefore, Pursuant to the authority vested in me by the Constitution and the provisions of the Emergency Management Services Code (35 Pa.C.S. Section 7101 et seq., as amended), I do hereby mandate the National Incident Management System be utilized for all incident management in the Commonwealth.

I further proclaim this to take effect immediately.

Given under my hand and the Seal of the Governor, at the City of Harrisburg, this twentieth day of December in the year of our Lord two thousand four and of the Commonwealth the two hundred and twenty-ninth.

A handwritten signature in black ink that reads "Edmund G. Rendell". The signature is written in a cursive style with a large, prominent "E" at the beginning.

Governor

[Pa.B. Doc. No. 05-44. Filed for public inspection January 7, 2005, 9:00 a.m.]

THE GENERAL ASSEMBLY

COMMISSION ON SENTENCING

Meeting Schedules

The Commission on Sentencing is giving notice that the following dates have been established for upcoming meetings in the year 2005:

Public Hearing for Guideline Revisions:

Tuesday, February 8, 2005, 4 p.m.
Crowne Plaza Hotel
23 South Second Street, Harrisburg, PA 17101

Quarterly Commission Meetings:

February 8 and 9 (Tuesday and Wednesday)
The Crowne Plaza Hotel
23 South Second Street, Harrisburg, PA 17101

May 10 and 11 (Tuesday and Wednesday)
Harrisburg Hilton & Towers
One North Second Street, Harrisburg, PA 17101

August 23 and 24 (Tuesday and Wednesday)
The Nittany Lion Inn
200 West Park Avenue, State College, PA 16801

December 13 and 14 (Tuesday and Wednesday)
The Union League of Philadelphia
140 S. Broad Street, Philadelphia, PA 19102

Tuesday evening dinner/work sessions are scheduled from 6:30 p.m. to 9 p.m. with the work session beginning at 7:30 p.m. All regular quarterly Commission meetings are scheduled to begin at 9 a.m. on Wednesday mornings.

Individuals with questions concerning upcoming meetings should contact Mark H. Bergstrom, Executive Director at (814) 863-2797.

MARK H. BERGSTROM,
Executive Director

[Pa.B. Doc. No. 05-45. Filed for public inspection January 7, 2005, 9:00 a.m.]

[204 PA. CODE CH. 303]

Proposed Revisions to Sentencing Guidelines

On October 23, 2004, the Pennsylvania Commission on Sentencing published proposed revisions to the sentencing guidelines (34 Pa.B. 5746) for purposes of soliciting comments. Public hearings were held in the following locations:

Lancaster Lancaster County Courthouse, Room 502
50 North Duke Street
Lancaster, PA 17608
Wednesday, December 1, 2004 at 2 p.m.

Wilkes-Barre Luzerne County Courthouse, Courtroom
#5 (2nd Floor)
200 North River Street
Wilkes-Barre, PA 18711
Thursday, December 2, 2004 at 2 p.m.

Butler Butler County Courthouse, Jury
Assembly Room
124 West Diamond Street
Butler, PA 16001
Thursday, December 9, 2004 at 2 p.m.

Philadelphia The Union League, Lincoln Memorial
Room
140 South Broad Street
Philadelphia, PA 19102
Tuesday, December 14, 2004 at 2 p.m.

During its Quarterly Meeting on Wednesday, December 15, 2004, the Commission adopted several changes to the initial proposal, both in response to comments received and relating to recently enacted legislation. The Commission is hereby submitting these modified proposed revisions to the sentencing guidelines for purposes of soliciting comments.

The Commission will be holding a public hearing to receive comments on the modified proposed revisions to the sentencing guidelines as follows:

Harrisburg The Crowne Plaza Hotel
23 South Second Street
Harrisburg, PA 17101
Tuesday, February 8, 2005 at 4 p.m.

Persons who are testifying are asked to bring 30 copies of the written comments to the public hearing. Arrangements to testify may be made by contacting the Commission (Phone: 814.863.2797, Ext. 1; Fax: 814.863.2129; E-Mail: CWD2@MAIL.PSU.EDU) in advance of the hearing. Other written comments should be forwarded to the Commission's executive director: 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 after consideration of the testimony and comments received. 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.

REPRESENTATIVE FRANK DERMODY
Chairperson

Commentary on Annex A

The Commission adopted the following changes to the initial proposal (34 Pa.B. 5746), both in response to comments received and relating to recently enacted legislation.

Revisions to Sections 303.4 through 303.8—Prior Record Score

The standards contained in this section relate to Prior Record Score (PRS) policies, including the PRS categories, identification of previous adjudications and convictions included in the calculation of the PRS, and the relative weight of those previous adjudications and convictions in determining the PRS category. The PRS reflects both the number and severity of previous adjudications and convictions. The PRS is not a separate punishment, but rather a reflection of the seriousness of previous offenses.

The initial proposal contained a modification of the definition of REVOC in Section 303.4(a)(1) to limit its application to offenders with a current conviction and two

or more previous convictions or adjudications for crimes of violence. This was viewed as consistent with the original intent in the development of the REVOC category in the 4th Edition guidelines. In response to concerns expressed during public hearings that such a change would reduce recommendations for serious Level 5 offenders with two previous convictions for crimes of violence, the Commission is proposing a return to the definition of REVOC contained in the 5th Edition guidelines: offenders who have two or more previous convictions or adjudications for four-point offenses and whose current conviction carries an Offense Gravity Score of 9 or higher.

The initial proposal also contained a modification to the description of prior convictions in Section 303.5 concerning un-sentenced convictions and adequacy of prior record score. The Commission is proposing modified descriptions to clarify the intent of the subsections and to address concerns regarding the use of excluded offenses.

Revisions to Sections 303.9 through 303.14—Guideline sentence recommendations

The standards contained in this section relate to guideline sentence recommendations, including general provisions, enhancements for possession or use of a deadly weapon, enhancements for distribution of a controlled substance to a minor or in a school zone, sentencing levels and programs, aggravated and mitigated circumstances, and economic sanctions.

In Section 303.10 the Commission has proposed a narrowing of the circumstances for which the deadly weapon/used enhancement would apply. The enhancement would continue to apply if an offender used a deadly weapon to threaten or injure another individual, but not if it was otherwise used in the furtherance of the crime. Neither deadly weapon enhancement would apply to a theft when the property stolen was a firearm. The Commission also has proposed a refinement of the definition of 'school' in the Youth/School Enhancement to reflect that the enhancement applies when the distribution occurs within 1000 feet of the real property on which the school is located. Both of these proposals are in response to recent decisions by the Pennsylvania Superior Court.

In Sections 303.11 and 303.12, the Commission has incorporated the recently enacted state intermediate punishment sentencing alternative into the sentencing levels and sentencing programs sections.

Revisions to Section 303.15—Offense listing

The Commission has proposed changes to the offense gravity scores initially proposed for the following offenses:

| | | |
|----------------------|--|--------|
| 18 Pa.C.S. § 2707.1 | Discharge of firearm into an occupied structure | OGS 10 |
| 18 Pa.C.S. § 3125(b) | Aggravated Indecent Assault (child) | OGS 12 |
| 18 Pa.C.S. § 6105 | Person not to possess firearm (loaded) | OGS 10 |
| 18 Pa.C.S. § 6105 | Person not to possess firearm (unloaded) | OGS 9 |
| 18 Pa.C.S. § 6110.2 | Possession of firearm (altered manuf. #; loaded) | OGS 5 |
| 18 Pa.C.S. § 6110.2 | Possession of firearm (altered manuf. #; unloaded) | OGS 4 |
| 75 Pa.C.S. § 3802(f) | DUI (commercial/school bus; 3rd offense) | OGS 6 |

| | | |
|----------------------|---|-------|
| 75 Pa.C.S. § 3802(f) | DUI (commercial/school bus; 4th/subsq. offense) | OGS 7 |
|----------------------|---|-------|

The Commission has proposed the following offense gravity scores for recently enacted offenses:

| | | |
|---------------------------|--|-------|
| 35 P. S. § 780-113(a)(38) | Unlawful manuf. of meth. (victim <18 yrs) | OGS 7 |
| 35 P. S. § 780-113(a)(38) | Unlawful manuf. of meth. (victim <18 yrs, SBI) | OGS 9 |

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 higher graded offense.**

(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. **[A revised] Revised** sets of guidelines became effective August 12, 1994 **and June 13, 1997.**

(d) In every case in which **[the] 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 **[the] a court of record imposes an aggravated or mitigated sentence, or a sentence outside the sentencing guidelines, [the court shall provide a contemporaneous written statement of]** the reason or reasons for the deviation from **the standard range of the**

guidelines. **[These reasons]** shall be recorded on the Guideline Sentence Form, a copy of which **[is forwarded]** shall be electronically transmitted to the Pennsylvania Commission on Sentencing in the manner described in § 303.1(e).

(e) **[A Pennsylvania Commission on Sentencing Guideline Sentence Form shall be completed at the court's direction and shall be made a part of the record no later than 30 days after the date of each sentencing and a copy shall be forwarded to the Pennsylvania Commission on Sentencing.]** 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.

§ 303.2. Procedure for determining the guideline sentence.

(a) **For each conviction offense of a judicial proceeding, t[T]**he 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 and Youth/School 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. The exception to subsection (e) above is for violations of 35 P.S. § 780-113 (a)(12) **[(relating to fraudulent prescriptions)], (a)(14), and (a)(30)** when narcotic prescription pills of Schedule II are involved. For such violations it is the number of pills rather than the amount of the controlled substance which is considered in determining the Offense Gravity Score. (See § 303.15.)

(f) *Omnibus Offense Gravity Scores.* The Omnibus Offense Gravity Score is applied when the offense is not otherwise listed in § 303.15, or when the grade 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 of the offense. 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 |

§ 303.4. Prior Record Score—categories.

(a) *Prior Record Score categories.* Determination of the correct Prior Record Score category under this section is based on the type and number of prior convictions (§ 303.5) and prior juvenile adjudications (§ 303.6). There are eight Prior Record Score categories: Repeat Violent Offender [REVOC], Repeat Felony 1 and Felony 2 Offender [RFEL], and point-based categories of 0, 1, 2, 3, 4 and 5.

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

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

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

§ 303.5. Prior Record Score—prior convictions.

[(a) All prior convictions shall be counted in the Prior Record Score, except certain prior convictions from sentences described in (b).

(b) When a sentence for a prior conviction was imposed totally concurrent to another sentence, or was served totally concurrent to another sentence, only the conviction with the greatest number of points under § 303.7 shall be counted.

(c) Totally concurrent. A conviction is considered totally concurrent if the sentence imposed did not increase the term of probation, intermediate punishment, partial or total confinement of any sentence.]

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

(b) If there are multiple offenses in the 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 partial or total 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 previous 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 the offender was 28 years of age or older at the time the current offense was committed.

(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

[Voluntary Manslaughter

Drug Delivery Resulting in Death

Aggravated Assault (causing serious bodily injury)

Kidnapping

Rape

Involuntary Deviate Sexual Intercourse

Arson (resulting in bodily injury or a person inside at start)

Burglary (adapted structure, person present)

Robbery (inflicts serious bodily injury)

Robbery of Motor Vehicle (inflicts serious bodily injury)]

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

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).

[Sexual Assault

Aggravated Indecent Assault]

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 (**[involving minors] complainant is less than 13 years of age**)

Indecent Exposure (persons **present** are less than age 16 **[present]**)

Endangering Welfare of Children

Dealing in Infant Children

Corruption of Minors (of a sexual nature)

Unlawful contact or communication with minor [Homicide by Vehicle]

Driving Under the Influence of Alcohol or Controlled Substance **[when the grade is a Misdemeanor 1.], except for a first offense.**

(5) *Other Misdemeanor Offenses.* All other misdemeanor offenses 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 **[175—186] 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), **shall not be used in computing the Prior Record Score** .

(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. [shall not be used in computing the Prior Record Score.]

§ 303.9. Guideline sentence recommendation: general.

(a) *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). 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].

(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). 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 (§ 303.18). 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), 12 months shall be added to the lower limit of the standard range of the applicable sentencing matrix and 36 months shall be

added to the upper limit of the standard range of the applicable sentencing matrix. 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), and include § 9763 (intermediate punishment) when limited to restorative sanction programs (see § 303.12(a)(5)). 42 Pa.C.S. § 9721(c) (mandatory restitution) is also included in RS. No specific recommendations are provided for periods of supervision or amounts of fines for these non-confinement sentencing alternatives. 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) *Driving Under the Influence.* The court shall consider the sentence recommendations pursuant to this section (§ 303.9) for an offender convicted under 75 Pa.C.S. [§ 3731] 3802 (Driving Under the Influence of Alcohol or Controlled Substance). The court may use a [q]Qualified Restrictive [i]Intermediate [p]Punishment pursuant to § 303.12(a)(6) to satisfy the mandatory minimum requirement.

§ 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). 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 defendant 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 (§ 303.18). 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 [or in the furtherance of the crime]:

(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 either distributed a controlled substance to a person or persons under the age of 18 in violation of 35 P. S. § 780-114, or manufactured, delivered or possessed with intent to deliver a controlled substance within 1000 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).

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

(3) The Youth/School 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. **In any case where an individual or aggregate sentence recommendation may include total confinement, county or state intermediate punishment is recommended for eligible offenders.**

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]] (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))

(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]] (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 under a county sentence (see 61 P. S. § 331.17).

Partial confinement in a county facility

County [Restrictive] Intermediate Punishment[s] (see § 303.12(a) for eligibility criteria)

Restorative Sanctions (§ 303.9(f))

(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 [a Restrictive] Intermediate Punishment [[RIP]]**, 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 less than 12 months applies and for which a [n] 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 under a state or county sentence (see 61 P. S. § 331.17).

Partial confinement in a county facility.

County [Restrictive] 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. The standard range is defined as having a lower limit of incarceration of greater than 12 months 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 [n] 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, and some non-violent offenders may benefit from drug and alcohol treatment. **If eligible, state 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 as a state offender. (see 61 P. S. § 331.17).

County [Restrictive] 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 [30] 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 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 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)

§ 303.12. Guideline sentence recommendations: sentencing programs.

(a) County intermediate punishment [**program**].

(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. § 9729, § 9763, [**and**] § 9773 and Chapter 98.

[**61 P. S. § 1101—§ 1114.**]

204 Pa. Code § 303.8 and § 303.9.

(ii) Sentence recommendations which include an option of **County [Restrictive] Intermediate Punishment[s]** for certain offenders are designated as shaded cells 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) Intermediate punishments classifications. In order to incorporate intermediate punishment programs into the sentencing levels, the Commission has classified intermediate punishment programs as Restrictive Intermediate Punishments (RIP) and restorative sanction programs. Additionally, specific 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 conviction under 75 Pa.C.S. § [**3731(e)**] **3802** (relating to Driving Under the Influence of Alcohol or Controlled Substance); the Commission has classified these programs as [**q**] Qualified Restrictive Intermediate Punishments.

(4) *Restrictive Intermediate Punishments (RIP).* Restrictive Intermediate Punishments are defined as programs that provide for strict supervision of the offender. [**Restrictive Intermediate Punishments may be imposed only if the court has been granted sentencing authority by the Pennsylvania Commission on Crime and Delinquency (pursuant to 42 Pa.C.S. § 9729).**] 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 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 Health's [**Office**] Bureau of Drug and Alcohol Programs ([**O**] BDAP) or a designee; the county authority on drugs and alcohol or a designee;

or clinical personnel of a facility licensed by the [**Office**] Bureau 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 [**q**] Qualified Restrictive Intermediate Punishment in lieu of incarceration for [**any**] **certain** convictions under 75 Pa.C.S. § [**3731**] **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 § 451.52 (relating to sentencing restrictions for driving under the influence convictions), [**q**] Qualified Restrictive Intermediate Punishment programs may be used to satisfy the mandatory minimum sentencing requirements of **certain convictions under 75 Pa.C.S. § [3731] 3802.**

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

(A) [**residential inpatient drug and alcohol programs or residential rehabilitative center programs; or**] **if the defendant is determined to be in need of drug and alcohol treatment, a sentence to intermediate punishment shall include participation in drug and alcohol treatment under 75 Pa.C.S. § 3815(c), and may be combined with:**

1. **house arrest with electronic surveillance; or**

2. **a partial confinement program such as work release, a work camp or a halfway facility.**

(B) [**house arrest and electronic monitoring combined with drug and alcohol treatment**] **if the defendant is determined not to be in need of drug and alcohol treatment, a sentence to 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.*

(1) Eligibility.

(i) The following statute governs operation of and eligibility for the State Motivational Boot Camp:

61 P. S. § 1121—§ 1129

(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).

(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.*

(1) Eligibility.

(i) **The following statute governs operation of and eligibility for State Intermediate Punishment:**

42 Pa.C.S. Chapter 99

(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.**

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

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

(6) **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 [and 14]** 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.

(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.

(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.

(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 [**forwarded**] **electronically transmitted** to the Commission on Sentencing **in the manner described in § 303.1(e).**

§ 303.14. Guideline sentence recommendations—[**finest and restitution**] **economic sanctions.**

(a) *Fines [and restitution].*

(1) **Fines [and restitution, as provided by law,]** 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 [**2.5 or more grams of**] 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 deriva-

tives of phencyclidine, methamphetamine, or cocaine; or is **in excess of** one thousand pounds **[or more]** 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 **[and restitution]** may be utilized as part of an intermediate punishment sentence or as a non-confinement sentencing alternative (see restorative sanction § 303.9(f)).

(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

| 18 Pa.C.S. § | OFFENSE TITLE | STATUTORY CLASS | § 303.3 OFFENSE GRAVITY SCORE | § 303.7 PRIOR RECORD POINTS |
|---------------------|---|------------------|-------------------------------|-----------------------------|
| 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) | M1 | 3 | [1] m |
| 907 (b) | Possessing Instruments of Crime (weapon) | M1 | 4 | 1 |
| 907 (c) | Possessing Instruments of Crime (unlawful body armor) | F3 | 5 | 1 |
| 908 | Prohibited Offensive Weapons | M1 | 4 | 1 |
| 908.1 (a)(1) | Use of electric or electronic incapacitation device (intent to commit felony) | F2 | 8 | 2 |
| 908.1 (a)(1) | Use or possession of electric or electronic incapacitation device (no intent to commit felony) | M1 | 5 | 1 |
| 908.1 (a)(2) | Possess electric or electronic incapacitation device (intent to commit felony) | F2 | 7 | 2 |
| 908.1 (a)(2) | Possess possession of electric or electronic incapacitation device (no intent to commit felony) | M1 | 4 | 1 |
| 909 | Manufacture, Distribution or Possession of Master Key for Motor Vehicles | M1 | 3 | m |
| 910 (b)(1) | Manufacture, Distribution or Possession of Devices for Theft of Telecommunications (first offense) | M1 | [3] 4 | m |
| 910 (b)(2) | Manufacture, Distribution or Possession of Devices for Theft of Telecommunications (second offense or 10-50 devices) | F3 | [5] 6 | 1 |
| 910 (b)(3) | Manufacture, Distribution or Possession of Devices for Theft of Telecommunications (third or subsequent offense or more than 50 devices) | F2 | 8 | 2 |
| 911 | Corrupt Organizations | F1 | 8 | 3 |
| 912 | Weapon on School Property | M1 | 4 | [m] 1 |
| 913 (a)(1) | Possession of Firearm or Other Dangerous Weapon in Court Facility | M3 | 1 | m |
| 913 (a)(2) | Possession of Firearm or Other Dangerous Weapon in Court Facility (intend for crime) | M1 | 3 | [m] 1 |

* = Subcategorized Offenses. See 303.3(b).

m = Other Misdemeanor Offenses. See 303.7(a)(5).

INCHOATE = Inchoates to 4 point PRS offenses. See 303.3(c) and 303.8(b) for all other inchoates.

CRIMES CODE OFFENSES

| 18 Pa.C.S. § | OFFENSE TITLE | STATUTORY CLASS | § 303.3 OFFENSE GRAVITY SCORE | § 303.7 PRIOR RECORD POINTS |
|------------------------------|--|--|--|-----------------------------------|
| 2102 | Desecration of Flag | M3 | 1 | m |
| 2103 | Insults to Flag | M2 | 2 | m |
| 2502 (a) | Murder, First Degree | Murder of the First Degree | 18 Pa.C.S. § 1102(a) | 4 |
| 2502 (a) INCHOATE | —Attempt/Solicitation/Conspiracy [SBI] to First Degree Murder | 18 Pa.C.S. § 1102(c) | 14 | 4 |
| 2502 (a) INCHOATE | —Attempt/Solicitation/Conspiracy [No SBI] to First Degree Murder | 18 Pa.C.S. § 1102(c) | 13 | 4 |
| 2502 (b) | Murder, Second Degree | Murder of the Second Degree | 18 Pa.C.S. § 1102(b) | 4 |
| 2502 (b) INCHOATE | —Attempt/Solicitation/Conspiracy [SBI] to Second Degree Murder | 18 Pa.C.S. § 1102(c) | 14 | 4 |
| 2502 (b) INCHOATE | —Attempt/Solicitation/Conspiracy [No SBI] to Second Degree Murder | 18 Pa.C.S. § 1102(c) | 13 | 4 |
| 2502 (c) | Murder, Third Degree | F1 | 14 | 4 |
| 2502 (c) INCHOATE | —Attempt/Solicitation/Conspiracy [SBI] to Third Degree Murder | 18 Pa.C.S. § 1102(c) | 14 | 4 |
| 2502 (c) INCHOATE | —Attempt/Solicitation/Conspiracy [No SBI] to Third Degree Murder | 18 Pa.C.S. § 1102(c) | 13 | 4 |
| 2503 | Manslaughter, Voluntary | F1 | 11 | 4 |
| 2503 INCHOATE | —Attempt/Solicitation/Conspiracy to Voluntary Manslaughter | 18 Pa.C.S. § 905 | 10 | 3 |
| 2504* | Manslaughter, Involuntary (when there is also a conviction for DUI arising from the same INCIDENT) | M1 | 8 | 1 |
| 2504* | Manslaughter, Involuntary (when there is not a conviction for DUI arising from the same INCIDENT) | M1 | 6 | 1 |
| 2504 | Manslaughter, Involuntary (victim under 12 years) | F2 | 8 | 2 |
| 2505 (b) | Suicide, Aids or Solicits | F2 | 6 | 2 |
| 2505 (b) | Suicide, Aids or Solicits | M2 | 2 | m |
| 2506 | Drug Delivery Resulting in Death | F1 | 13 | 4 |
| 2506 INCHOATE | —Attempt/Solicitation/Conspiracy to Drug Delivery Resulting in Death | 18 Pa.C.S. § 905 | 12 | 3 |
| 2604 (a) | Murder, First Degree, unborn child | Murder of the First Degree | 18 Pa.C.S. § 1102(a) | 4 |
| 2604 (a) INCHOATE | —Attempt/Solicitation/Conspiracy [SBI] to First Degree Murder of unborn child | 18 Pa.C.S. § 1102(c) | 14 | 4 |
| 2604 (a) INCHOATE | —Attempt/Solicitation/Conspiracy [No SBI] to First Degree Murder of unborn child | 18 Pa.C.S. § 1102(c) | 13 | 4 |
| 2604 (b) | Murder, Second Degree, unborn child | Murder of the Second Degree | 18 Pa.C.S. § 1102(b) | 4 |
| 2604 (b) INCHOATE | —Attempt/Solicitation/Conspiracy [SBI] to Second Degree Murder of unborn child | 18 Pa.C.S. § 1102(c) | 14 | 4 |

* = Subcategorized Offenses. See 303.3(b).

m = Other Misdemeanor Offenses. See 303.7(a)(5).

INCHOATE = Inchoates to 4 point PRS offenses. See 303.3(c) and 303.8(b) for all other inchoates.

CRIMES CODE OFFENSES

| 18 Pa.C.S. § | OFFENSE TITLE | STATUTORY CLASS | § 303.3 OFFENSE GRAVITY SCORE | § 303.7 PRIOR RECORD POINTS |
|--------------------------|---|----------------------|-------------------------------|-----------------------------|
| 2604 (b) INCHOATE | —Attempt/Solicitation/Conspiracy [No SBI] to Second Degree Murder of unborn child | 18 Pa.C.S. § 1102(c) | 13 | 4 |
| 2604 (c) | Murder, Third Degree, unborn child | F1 | 14 | 4 |
| 2604 (c) INCHOATE | —Attempt/Solicitation/Conspiracy [SBI] to Third Degree Murder of unborn child | 18 Pa.C.S. § 1102(c) | 14 | 4 |
| 2604 (c) INCHOATE | —Attempt/Solicitation/Conspiracy [No SBI] to Third Degree Murder of unborn child | 18 Pa.C.S. § 1102(c) | 13 | 4 |
| 2605 | Manslaughter, Voluntary, of unborn child | F1 | 11 | 4 |
| 2605 INCHOATE | —Attempt/Solicitation/Conspiracy to Voluntary Manslaughter of unborn child | 18 Pa.C.S. § 905 | 10 | 3 |
| 2606* | Aggravated assault of unborn child (caused serious bodily injury) | F1 | 11 | 4 |
| 2606* | Aggravated assault of unborn child (attempted to cause serious bodily injury) | F1 | 10 | 3 |
| 2701 | Simple Assault | M2 | 3 | m |
| 2701 (b)(1) | Simple Assault (mutual consent) | M3 | 1 | m |
| 2701 (b)(2) | Simple Assault (against child by adult) | M1 | 4 | 1 |
| 2702 (a)(1)* | Aggravated Assault (causes serious bodily injury) | F1 | 11 | 4 |
| 2702 (a)(1)* INCHOATE | —Attempt/Solicitation/Conspiracy to Aggravated Assault (causes SBI) | 18 Pa.C.S. § 905 | 10 | 3 |
| 2702 (a)(1)* | Aggravated Assault (attempts to cause serious bodily injury) | F1 | 10 | 3 |
| 2702 (a)(2)* | Aggravated Assault (causes serious bodily injury police, etc.) | F1 | 11 | 4 |
| 2702 (a)(2)* INCHOATE | —Attempt/Solicitation/Conspiracy to Aggravated Assault (causes SBI to police,) | 18 Pa.C.S. § 905 | 10 | 3 |
| 2702 (a)(2)* | Aggravated Assault (attempts to cause serious bodily injury, police, etc.) | F1 | 10 | 3 |
| 2702 (a)(3) | Aggravated Assault (causes or attempts to cause bodily injury, police, etc.) | F2 | 6 | 2 |
| 2702 (a)(4) | Aggravated Assault (causes or attempts to cause bodily injury with a deadly weapon) | F2 | 8 | 2 |
| 2702 (a)(5) | Aggravated Assault ([teacher] teaching staff, etc.) | F2 | 6 | 2 |
| 2702 (a)(6) | Aggravated Assault (physical menace, fear of imminent SBI) | F2 | 6 | 2 |

* = Subcategorized Offenses. See 303.3(b).

m = Other Misdemeanor Offenses. See 303.7(a)(5).

INCHOATE = Inchoates to 4 point PRS offenses. See 303.3(c) and 303.8(b) for all other inchoates.

CRIMES CODE OFFENSES

| 18 Pa.C.S. § | OFFENSE TITLE | STATUTORY CLASS | § 303.3 OFFENSE GRAVITY SCORE | § 303.7 PRIOR RECORD POINTS |
|-----------------------|--|------------------------------------|-------------------------------|-----------------------------|
| 2702 (a)(7) | Aggravated Assault (tear or noxious gas) | F2 | 6 | 2 |
| 2703 | Assault by Prisoner | F2 | [6] 7 | 2 |
| 2703.1 | Aggravated harassment by prisoner | F3 | 6 | 1 |
| 2704 | Assault by life prisoner | Murder of the Second Degree | 18 Pa.C.S. § 1102(b) | 4 |
| 2704 INCHOATE | —Attempt/Solicitation/Conspiracy [SBI] to Assault by Life Prisoner | 18 Pa.C.S. § 1102(c) | 14 | 4 |
| 2704 INCHOATE | —Attempt/Solicitation/Conspiracy [no SBI] to Assault by Life Prisoner | 18 Pa.C.S. § 1102(c) | 13 | 4 |
| 2705 | Recklessly Endangering Another Person | M2 | 3 | m |
| 2706 | Terroristic Threats | M1 | 3 | m |
| 2706 | Terroristic threats (diverted from activities) | F3 | 5 | 1 |
| 2707 (a) | Propulsion of Missiles into an Occupied Vehicle | M1 | 3 | m |
| 2707 (b) | Propulsion of Missiles onto a Roadway | M2 | 2 | m |
| 2707.1 | Discharge of firearm into an occupied structure | F3 | 10 | 1 |
| 2708 | Use of Tear Gas in Labor Dispute | M1 | 3 | m |
| 2709 (a) | Harassment | M3 | 1 | m |
| 2709.1 [(b)] (c)(1) | Stalking (first offense) | M1 | 3 | m |
| 2709.1 [(b)] (c)(2) | Stalking (second/subsequent offense or prior crime of violence) | F3 | [5] 6 | 1 |
| 2710 | Ethnic Intimidation | 18 Pa.C.S. § 2710(b) | See § 303.3(d) | See § 303.8(c) |
| 2712 | Assault on Sports Official | M1 | 3 | m |
| 2713 (a)(1)(2) | Neglect of Care-dependent Person(SBI) | F1 | 10 | 3 |
| 2713 (a)(1)(2) | Neglect of Care-dependent Person(BI) | M1 | 4 | m |
| 2714 | Unauthorized administration of intoxicant | F3 | 8 | 1 |
| 2715 (b)(1) | Threat to use weapons of mass destruction (reports or threatens) | M1 | 3 | m |
| 2715 (b)(2) | Threat to use weapons of mass destruction (diverted from activities) | F3 | 5 | 1 |
| 2715 (b)(3) | Threat to use weapons of mass destruction (during state of emergency) | F2 | 7 | 2 |
| 2716 (a) | Weapons of mass destruction (possession/first offense) | F2 | 7 | 2 |

* = Subcategorized Offenses. See 303.3(b).

m = Other Misdemeanor Offenses. See 303.7(a)(5).

INCHOATE = Inchoates to 4 point PRS offenses. See 303.3(c) and 303.8(b) for all other inchoates.

CRIMES CODE OFFENSES

| 18 Pa.C.S. § | OFFENSE TITLE | STATUTORY CLASS | § 303.3 OFFENSE GRAVITY SCORE | § 303.7 PRIOR RECORD POINTS |
|-------------------|--|------------------|-------------------------------|-----------------------------|
| 2716 (a) | Weapons of mass destruction (possession/subsequent offense) | F1 | 11 | 3 |
| 2716 (b)(1) | Weapons of mass destruction (use/cause injury or illness) | F1 | 13 | 3 |
| 2716 (b)(1) | Weapons of mass destruction (use/results in death) | Life | Life | 4 |
| 2716 (b)(2) | Weapons of mass destruction (damage/disrupt water, food) | F1 | 13 | 3 |
| 2716 (b)(3) | Weapons of mass destruction (evacuation) | F1 | 13 | 3 |
| 2901 | Kidnapping | F1 | 10 | 4 |
| 2901 INCHOATE | —Attempt/Solicitation/Conspiracy to Kidnapping | 18 Pa.C.S. § 905 | 9 | 3 |
| 2902 (b)(1) | Unlawful restraint (victim 18 yrs. or older) | M1 | 3 | m |
| 2902 (b)(2) | Unlawful restraint (victim under 18 years of age) | F2 | 8 | 2 |
| 2903 (b)(1) | False imprisonment (victim 18 yrs. or older) | M2 | 2 | m |
| 2903 (b)(2) | False imprisonment (victim under 18 years of age) | F2 | 7 | 2 |
| 2904 (c) | Interference with the Custody of Children | F3 | 4 | 1 |
| 2904 (c)(1) | Interference with the Custody of Children | F2 | 6 | 2 |
| 2904 (c)(2) | Interference with the Custody of Children | M2 | 2 | m |
| 2905 | Interference w/Custody of Committed Persons | M2 | 4 | m |
| 2906 | Criminal Coercion | M1 | 3 | m |
| 2906 | Criminal Coercion | M2 | 2 | m |
| 2907 | Disposition of Ransom | F3 | 5 | 1 |
| 2909 | Concealment of Whereabouts of a Child | F3 | 4 | 1 |
| 2910 | Luring a Child into a Motor Vehicle | M1 | 5 | 1 |
| 3121 (a) | Rape | F1 | 12 | 4 |
| 3121 (a) INCHOATE | —Attempt/Solicitation/Conspiracy to Rape | 18 Pa.C.S. § 905 | 11 | 3 |
| 3121 (b) | Rape (uses substance to impair victim) | F1 | 13 | 4 |
| 3121 (b) INCHOATE | —Attempt/Solicitation/Conspiracy to Rape | 18 Pa.C.S. § 905 | 12 | 3 |
| 3121 (c) | Rape (child < 13 yrs.) | F1 | 14 | 4 |
| 3121 (c) INCHOATE | —Attempt/Solicitation/Conspiracy to Rape | 18 Pa.C.S. § 905 | 13 | 3 |
| 3121 (d) | Rape (child < 13 yrs., sbi) | F1 | 14 | 4 |

* = Subcategorized Offenses. See 303.3(b).

m = Other Misdemeanor Offenses. See 303.7(a)(5).

INCHOATE = Inchoates to 4 point PRS offenses. See 303.3(c) and 303.8(b) for all other inchoates.

CRIMES CODE OFFENSES

| 18 Pa.C.S. § | OFFENSE TITLE | STATUTORY CLASS | § 303.3 OFFENSE GRAVITY SCORE | § 303.7 PRIOR RECORD POINTS |
|----------------------------|--|-------------------------|-------------------------------|-----------------------------|
| 3121 (d) INCHOATE | —Attempt/Solicitation/Conspiracy to Rape | 18 Pa.C.S. § 905 | 13 | 3 |
| 3122.1 | Statutory Sexual Assault | F2 | 7 | 2 |
| 3123 (a) | Involuntary Deviate Sexual Intercourse | F1 | 12 | 4 |
| 3123 (a) INCHOATE | —Attempt/Solicitation/Conspiracy to Involuntary Deviate Sexual Intercourse | 18 Pa.C.S. § 905 | 11 | 3 |
| 3123 (b) | Involuntary Deviate Sexual Intercourse (child < 13 yrs.) | F1 | 14 | 4 |
| 3123 (b) INCHOATE | —Attempt/Solicitation/Conspiracy to Involuntary Deviate Sexual Intercourse | 18 Pa.C.S. § 905 | 13 | 3 |
| 3123 (c) | Involuntary Deviate Sexual Intercourse (child < 13 yrs., sbi) | F1 | 14 | 4 |
| 3123 (c) INCHOATE | —Attempt/Solicitation/Conspiracy to Involuntary Deviate Sexual Intercourse | 18 Pa.C.S. § 905 | 13 | 3 |
| 3124.1 | Sexual Assault | F2 | 11 | [3] 4 |
| 3124.1 INCHOATE | —Attempt/Solicitation/Conspiracy to Sexual Assault | 18 Pa.C.S. § 905 | 11 | 3 |
| 3124.2 | Institutional sexual assault | F3 | 5 | 1 |
| 3125 (a) | Aggravated Indecent Assault | F2 | 10 | [3] 4 |
| 3125 (b) | Aggravated Indecent Assault (child) | F1 | 12 | 4 |
| 3125 INCHOATE | —Attempt/Solicitation/Conspiracy to Aggravated Indecent Assault | 18 Pa.C.S. § 905 | 10 | 3 |
| 3126 (a)(1)—(6), (8) | Indecent Assault | M2 | 4 | m |
| 3126 (a)(7) | Indecent Assault [(involving minors)](child < 13 years) | M1 | 5 | 1 |
| 3127 | Indecent Exposure (person present is 16 years of age or older) | M2 | 3 | m |
| 3127 | Indecent Exposure (person present is less than 16 years of age) | M1 | 4 | 1 |
| 3129 | Sexual intercourse with animal | M2 | 2 | m |
| 3301(a)* | Arson Endangering Persons (where a person is inside the structure when the fire is started or when bodily injury results, either directly or indirectly, at the scene of the fire) | F1 | 10 | 4 |
| 3301 (a)* INCHOATE | —Attempt/Solicitation/Conspiracy to Arson Endangering Persons (person inside or bodily injury results) | 18 Pa.C.S. § 905 | 9 | 3 |
| 3301(a)* | Arson Endangering Persons (where no person is inside the structure when the fire is started and no bodily injury results either directly or indirectly, at the scene of the fire) | F1 | 9 | 3 |

* = Subcategorized Offenses. See 303.3(b).

m = Other Misdemeanor Offenses. See 303.7(a)(5).

INCHOATE = Inchoates to 4 point PRS offenses. See 303.3(c) and 303.8(b) for all other inchoates.

CRIMES CODE OFFENSES

| 18 Pa.C.S. § | OFFENSE TITLE | STATUTORY CLASS | § 303.3 OFFENSE GRAVITY SCORE | § 303.7 PRIOR RECORD POINTS |
|---------------------|---|------------------|-------------------------------|-----------------------------|
| 3301(c) | Arson, Endangering Property | F2 | 6 | 2 |
| 3301(d) | Arson, Reckless Burning | F3 | 5 | 1 |
| 3301(e) | Arson, Failure to Report | M1 | 3 | m |
| 3301(f) | Arson, Possess Explosive Material | F3 | 5 | 1 |
| 3301(g) | Arson, Disclosure of True Owner | M3 | 1 | m |
| 3302(a) | Catastrophe, Causing | F1 | 10 | 3 |
| 3302(a) | Catastrophe, Recklessly Causing | F2 | 6 | 2 |
| 3302(b) | Catastrophe, Risking | F3 | 4 | 1 |
| 3303 | Failure to Prevent Catastrophe | M2 | 2 | m |
| 3304 | Criminal Mischief (over \$5,000) | F3 | 5 | 1 |
| 3304 | Criminal Mischief (over \$1,000) | M2 | 2 | m |
| 3304 | Criminal Mischief (over \$500) | M3 | 1 | m |
| 3304 | Criminal Mischief (over \$150 under (a)(4)) | M3 | 1 | m |
| 3305 | Tampering w/Fire Hydrants | M3 | 1 | m |
| 3307 | Institutional Vandalism (over \$5,000) | F3 | 5 | 1 |
| 3307 | Institutional Vandalism | M2 | 2 | m |
| 3309 | Agricultural Vandalism (over \$5,000) | F3 | 5 | 1 |
| 3309 | Agricultural Vandalism (over \$1,000) | M1 | 3 | m |
| 3309 | Agricultural Vandalism (over \$500) | M2 | 2 | m |
| 3309 | Agricultural Vandalism (\$500 or less) | M3 | 1 | m |
| 3310 | Agricultural crop destruction | F2 | 7 | 2 |
| 3502* | Burglary (of a structure adapted for overnight accommodation in which at the time of the offense any person is present) | F1 | 9 | 4 |
| 3502* INCHOATE | —Attempt/Solicitation/Conspiracy to Burglary (structure adapted for overnight accommodation, person present) | 18 Pa.C.S. § 905 | 8 | 3 |
| 3502* | Burglary (of a structure adapted for overnight accommodation in which at the time of the offense no person is present) | F1 | 7 | 3 |
| 3502* | Burglary (of a structure not adapted for overnight accommodation in which at the time of the offense any person is present) | F1 | 6 | 3 |
| 3502 | Burglary (of a structure not adapted for overnight accommodation in which at the time of the offense no person is present) | F2 | 5 | 2 |
| 3503 (a)(1)(ii) | Trespass, Criminal | F2 | 4 | 2 |
| 3503 (a)(1)(i) | Trespass, Criminal | F3 | 3 | 1 |
| 3503 (b)(1)(i)—(iv) | Trespass, Defiant (notice against trespass given) | M3 | 1 | m |

* = Subcategorized Offenses. See 303.3(b).

m = Other Misdemeanor Offenses. See 303.7(a)(5).

INCHOATE = Inchoates to 4 point PRS offenses. See 303.3(c) and 303.8(b) for all other inchoates.

CRIMES CODE OFFENSES

| 18 Pa.C.S. § | OFFENSE TITLE | STATUTORY CLASS | § 303.3 OFFENSE GRAVITY SCORE | § 303.7 PRIOR RECORD POINTS |
|----------------------------|--|------------------|-------------------------------|-----------------------------|
| 3503 (b)(1)(v) | Trespass, Defiant (notice given by official or law enforcement) | M1 | 3 | m |
| 3503(b.2)(1)(i) | Trespass, Agricultural (posted) | M3 | 1 | m |
| 3503 (b.2)(1)(ii) | Trespass, Agricultural (defies order) | M2 | 3 | m |
| 3504 (a) | Railroad protection, railroad vandalism, etc. (damage to railroad, etc.) | M3 | 1 | m |
| 3504 (b) | Railroad protection, railroad vandalism, etc. (stowaways prohibited) | M3 | 1 | m |
| 3701 (a)(1)(i) | Robbery (inflicts serious bodily injury) | F1 | 12 | 4 |
| 3701 (a)(1)(i) INCHOATE | —Attempt/Solicitation/Conspiracy to Robbery (SBI) | 18 Pa.C.S. § 905 | 11 | 3 |
| 3701 (a)(1)(ii) | Robbery (threatens another with or intentionally puts him in fear of immediate serious bodily injury) | F1 | 10 | 3 |
| 3701 (a)(1)(iii) | Robbery (commits or threatens immediately to commit any F1 or F2) | F1 | 9 | 3 |
| 3701 (a)(1)(iv) | Robbery (threatens or inflicts bodily injury or intentionally puts him in fear of immediate bodily injury) | F2 | 7 | 2 |
| 3701 (a)(1)(v) | Robbery (physically takes or removes property by force, however slight) | F3 | 5 | 1 |
| 3702* | Robbery or Motor Vehicle (inflicts serious bodily injury) | F1 | 12 | 4 |
| 3702* INCHOATE | —Attempt/Solicitation/Conspiracy to Robbery of a Motor Vehicle (SBI) | 18 Pa.C.S. § 905 | 11 | 3 |
| 3702* | Robbery of a Motor Vehicle (does not inflict serious bodily injury) | F1 | 9 | 3 |
| 3921 | Theft by Unlawful Taking or Disposition (during disaster or firearm) | F2 | [7] 8 | 2 |
| 3921* | Theft by Unlawful Taking or Disposition (over \$100,000) | F3 | 8 | 1 |
| 3921* | Theft By Unlawful Taking or Disposition (over \$50,000 to \$100,000) | F3 | 7 | 1 |
| 3921* | Theft By Unlawful Taking or Disposition (over \$25,000 to \$50,000) | F3 | 6 | 1 |
| 3921* | Theft by Unlawful Taking or Disposition (over \$2,000 to \$25,000, or if the property is an [firearm,] automobile, airplane, motorcycle, motorboat, or other motor-propelled vehicle) | F3 | 5 | 1 |
| 3921 | Theft by Unlawful Taking or Disposition (\$2,000 or less, from person or by threat or in breach of fiduciary obligation) | M1 | 3 | m |

* = Subcategorized Offenses. See 303.3(b).

m = Other Misdemeanor Offenses. See 303.7(a)(5).

INCHOATE = Inchoates to 4 point PRS offenses. See 303.3(c) and 303.8(b) for all other inchoates.

CRIMES CODE OFFENSES

| 18 Pa.C.S. § | OFFENSE TITLE | STATUTORY CLASS | § 303.3 OFFENSE GRAVITY SCORE | § 303.7 PRIOR RECORD POINTS |
|--------------|---|-----------------|-------------------------------|-----------------------------|
| 3921 | Theft by Unlawful Taking or Disposition (\$200 to \$2,000) | M1 | 3 | m |
| 3921 | Theft by Unlawful Taking or Disposition (\$50 to less than \$200) | M2 | 2 | m |
| 3921 | Theft by Unlawful Taking or Disposition (less than \$50) | M3 | 1 | m |
| 3922 | Theft by Deception (firearm) | F2 | 8 | 2 |
| 3922* | Theft by Deception (over \$100,000) | F3 | 8 | 1 |
| 3922* | Theft By Deception (over \$50,000 to \$100,000) | F3 | 7 | 1 |
| 3922* | Theft By Deception (over \$25,000 to \$50,000) | F3 | 6 | 1 |
| 3922* | Theft by Deception (over \$2,000 to \$25,000, or if the property is an [firearm,] automobile, airplane, motorcycle, motorboat, or other motor-propelled vehicle) | F3 | 5 | 1 |
| 3922 | Theft by Deception (\$2,000 or less, from person or by threat or in breach of fiduciary obligation) | M1 | 3 | m |
| 3922 | Theft by Deception (\$200 to \$2,000) | M1 | 3 | m |
| 3922 | Theft by Deception (\$50 to less than \$200) | M2 | 2 | m |
| 3922 | Theft by Deception (less than \$50) | M3 | 1 | m |
| 3923 | Theft by Extortion (firearm) | F2 | 8 | 2 |
| 3923* | Theft by Extortion (over \$100,000) | F3 | 8 | 1 |
| 3923* | Theft by Extortion (over \$50,000 to \$100,000) | F3 | 7 | 1 |
| 3923* | Theft by Extortion (over \$25,000 to \$50,000) | F3 | 6 | 1 |
| 3923* | Theft by Extortion (over \$2,000 to \$25,000, or if the property is an [firearm,] automobile, airplane, motorcycle, motorboat, or other motor-propelled vehicle) | F3 | 5 | 1 |
| 3923 | Theft by Extortion (\$2,000 or less, from person or by threat or in breach of fiduciary obligation) | M1 | 4 | m |
| 3923 | Theft by Extortion (\$200 to \$2,000) | M1 | 4 | m |
| 3923 | Theft by Extortion (\$50 to less than \$200) | M2 | 2 | m |
| 3923 | Theft by Extortion (less than \$50) | M3 | 1 | m |
| 3924 | Theft by Property Lost, Misplaced, or Delivered by Mistake (firearm) | F2 | 8 | 2 |
| 3924* | Theft of Property Lost, Misplaced, or Delivered by Mistake (over \$100,000) | F3 | 8 | 1 |

* = Subcategorized Offenses. See 303.3(b).

m = Other Misdemeanor Offenses. See 303.7(a)(5).

INCHOATE = Inchoates to 4 point PRS offenses. See 303.3(c) and 303.8(b) for all other inchoates.

CRIMES CODE OFFENSES

| 18 Pa.C.S. § | OFFENSE TITLE | STATUTORY CLASS | § 303.3 OFFENSE GRAVITY SCORE | § 303.7 PRIOR RECORD POINTS |
|--------------|---|-----------------|-------------------------------|-----------------------------|
| 3924* | Theft of Property Lost, Mislaid, or Delivered by Mistake (over \$50,000 to \$100,000) | F3 | 7 | 1 |
| 3924* | Theft of Property Lost, Mislaid, or Delivered by Mistake (over \$25,000 to \$50,000) | F3 | 6 | 1 |
| 3924* | Theft of Property Lost, Mislaid, or Delivered by Mistake (over \$2,000 to \$25,000, or if the property is an [firearm,] automobile, airplane, motorcycle, motorboat, or other motor-propelled vehicle) | F3 | 5 | 1 |
| 3924 | Theft of Property Lost, Mislaid or Delivered by Mistake (\$2,000 or less, from person or by threat or in breach of fiduciary obligation) | M1 | 3 | m |
| 3924 | Theft of Property Lost, Mislaid or Delivered by Mistake (\$200 to \$2,000) | M1 | 3 | m |
| 3924 | Theft of Property Lost, Mislaid or Delivered by Mistake (\$50 to less than \$200) | M2 | 2 | m |
| 3924 | Theft of Property Lost, Mislaid or Delivered by Mistake (less than \$50) | M3 | 1 | m |
| 3925 | Theft by Receiving Stolen Property (during disaster or firearm) | F2 | [7] 8 | 2 |
| 3925* | Theft by Receiving Stolen Property (over \$100,000) | F3 | 8 | 1 |
| 3925* | Theft by Receiving Stolen Property (over \$50,000 to \$100,000) | F3 | 7 | 1 |
| 3925* | Theft by Receiving Stolen Property (over \$25,000 to \$50,000) | F3 | 6 | 1 |
| 3925* | Theft by Receiving Stolen Property (over \$2,000 to \$25,000, or if the property is an [firearm,] automobile, airplane, motorcycle, motorboat, or other motor-propelled vehicle, or if the receiver is in the business of buying or selling stolen property) | F3 | 5 | 1 |
| 3925 | Theft by Receiving Stolen Property (\$2,000 or less, from person or by threat or in breach of fiduciary obligation) | M1 | 3 | m |
| 3925 | Theft by Receiving Stolen Property (\$200 to \$2,000) | M1 | 3 | m |
| 3925 | Theft by Receiving Stolen Property (\$50 to less than \$200) | M2 | 2 | m |
| 3925 | Theft by Receiving Stolen Property (less than \$50) | M3 | 1 | m |
| 3926 | Theft of Services (firearm) | F2 | [7] 8 | 2 |

* = Subcategorized Offenses. See 303.3(b).

m = Other Misdemeanor Offenses. See 303.7(a)(5).

INCHOATE = Inchoates to 4 point PRS offenses. See 303.3(c) and 303.8(b) for all other inchoates.

CRIMES CODE OFFENSES

| 18 Pa.C.S. § | OFFENSE TITLE | STATUTORY CLASS | § 303.3 OFFENSE GRAVITY SCORE | § 303.7 PRIOR RECORD POINTS |
|--------------|--|-----------------|-------------------------------|-----------------------------|
| 3926* | Theft of Services (over \$100,000) | F3 | 8 | 1 |
| 3926* | Theft of Services (over \$50,000 to \$100,000) | F3 | 7 | 1 |
| 3926* | Theft of Services (over \$25,000 to \$50,000) | F3 | 6 | 1 |
| 3926* | Theft of Services (over \$2,000 to \$25,000, or if the property is an [firearm,] automobile, airplane, motorcycle, motor-boat, or other motor-propelled vehicle) | F3 | 5 | 1 |
| 3926 | Theft of Services (\$2,000 or less, from person or by threat or in breach of fiduciary obligation) | M1 | 3 | m |
| 3926 | Theft of Services (\$200 to \$2,000) | M1 | 3 | m |
| 3926 | Theft of Services (\$50 to less than \$200) | M2 | 2 | m |
| 3926 | Theft of Services (less than \$50) | M3 | 1 | m |
| 3926 (e) | Theft of Services (sale/transfer of device for diversion of services) | M3 | 1 | m |
| 3927 | Theft by Failure to Make Required Disposition of Funds Received (firearm) | F2 | 8 | 2 |
| 3927* | Theft by Failure to Make Required Disposition of Funds Received (over \$100,000) | F3 | 8 | 1 |
| 3927* | Theft by Failure to Make Required Disposition of Funds Received (over \$50,000 to \$100,000) | F3 | 7 | 1 |
| 3927* | Theft by Failure to Make Required Disposition of Funds Received (over \$25,000 to \$50,000) | F3 | 6 | 1 |
| 3927* | Theft by Failure to Make Required Disposition of Funds Received (over \$2,000 to \$25,000, or if the property is an [firearm,] automobile, airplane, motorcycle, motorboat, or other motor-propelled vehicle) | F3 | 5 | 1 |
| 3927 | Theft by Failure to Make Required Disposition of Funds Received (\$2,000 or less, from person or by threat or in breach of fiduciary obligation) | M1 | 3 | m |
| 3927 | Theft by Failure to Make Required Disposition of Funds Received (\$200 to \$2,000) | M1 | 3 | m |
| 3927 | Theft by Failure to Make Required Disposition of Funds Received (\$50 to less than \$200) | M2 | 2 | m |
| 3927 | Theft by Failure to Make Required Disposition of Funds Received (less than \$50) | M3 | 1 | m |

* = Subcategorized Offenses. See 303.3(b).

m = Other Misdemeanor Offenses. See 303.7(a)(5).

INCHOATE = Inchoates to 4 point PRS offenses. See 303.3(c) and 303.8(b) for all other inchoates.

CRIMES CODE OFFENSES

| 18 Pa.C.S. § | OFFENSE TITLE | STATUTORY CLASS | § 303.3 OFFENSE GRAVITY SCORE | § 303.7 PRIOR RECORD POINTS |
|---------------|--|-----------------|-------------------------------|-----------------------------|
| 3928 | Unauthorized Use of Auto (during disaster) | F2 | [7] 8 | 2 |
| 3928 | Unauthorized Use of Auto | M2 | 2 | m |
| 3929 | Theft, Retail (during disaster) | F2 | [7] 8 | 2 |
| 3929 | Theft, Retail (> \$2,000, firearm, motor veh.) | F3 | 5 | 1 |
| 3929 | Theft, Retail (third or subsequent conviction) | F3 | 3 | 1 |
| 3929 | Theft, Retail (first or second offense, \$150 or more) | M1 | 2 | m |
| 3929 | Theft, Retail (second offense, less than \$150) | M2 | 2 | m |
| 3929.1 | Library Theft (3rd; subsequent offense) | F3 | 5 | 1 |
| 3929.1 | Library Theft (1st; 2nd over \$150) | M1 | 3 | m |
| 3929.1 | Library Theft (2nd less than \$150) | M2 | 2 | m |
| 3929.2 | Unlawful possession of retail or library theft instruments | M1 | 3 | m |
| 3930 | Theft of Trade Secrets by Force, Violence, or Burglary | F2 | 7 | 2 |
| 3930 | Theft of Trade Secrets | F3 | 5 | 1 |
| 3931 | Theft of Unpublished Dramas and Musical Compositions (over \$2,000 [or if the property is a firearm, automobile, airplane, motorcycle, motorboat, or other motor-propelled vehicle]) | F3 | 5 | 1 |
| 3931 | Theft of Unpublished Dramas and Musical Compositions (\$2,000 or less, from person or by threat or in breach of fiduciary obligation) | M1 | 3 | m |
| 3931 | Theft of Unpublished Dramas and Musical Compositions (\$200 to \$2,000) | M1 | 3 | m |
| 3931 | Theft of Unpublished Dramas and Musical Compositions (\$50 to less than \$200) | M2 | 2 | m |
| 3931 | Theft of Unpublished Dramas and Musical Compositions (less than \$50) | M3 | 1 | m |
| 3932 | Theft by Leased Property (firearm) | F2 | 8 | 2 |
| 3932* | Theft of Leased Property (over \$100,000) | F3 | 8 | 1 |
| 3932* | Theft of Leased Property (over \$50,000 to \$100,000) | F3 | 7 | 1 |
| 3932* | Theft of Leased Property (over \$25,000 to \$50,000) | F3 | 6 | 1 |

* = Subcategorized Offenses. See 303.3(b).

m = Other Misdemeanor Offenses. See 303.7(a)(5).

INCHOATE = Inchoates to 4 point PRS offenses. See 303.3(c) and 303.8(b) for all other inchoates.

CRIMES CODE OFFENSES

| 18 Pa.C.S. § | OFFENSE TITLE | STATUTORY CLASS | § 303.3 OFFENSE GRAVITY SCORE | § 303.7 PRIOR RECORD POINTS |
|---------------------------|---|------------------|-------------------------------|-----------------------------|
| 3932* | Theft of Leased Property (over \$2,000 to \$25,000, or if property is an [firearm,] automobile, airplane, motorcycle, motorboat, or other motor-propelled vehicle) | F3 | 5 | 1 |
| 3932 | Theft of Leased Property (\$2,000 or less from person or by threat or in breach of fiduciary obligation) | M1 | 3 | m |
| 3932 | Theft of Leased Property (\$200 to \$2,000) | M1 | 3 | m |
| 3932 | Theft of Leased Property (\$50 to less than \$200) | M2 | 2 | m |
| 3932 | Theft of Leased Property (less than \$50) | M3 | 1 | m |
| [3933 (a)(1)] | [Unlawful Use of Computer] | [F3] | [5] | [1] |
| [3933 (a)(2)(3)] | [Unlawful Use of Computer] | [M1] | [3] | [m] |
| 3934 (b)(1)(i) | Theft from a motor vehicle (less than \$50) | M3 | 1 | m |
| 3934 (b)(1)(ii) | Theft from a motor vehicle (\$50 or more but less than \$200) | M2 | 2 | m |
| 3934 (b)(1)(iii) | Theft from a motor vehicle (greater than \$200) | M1 | 3 | m |
| 3934 (b)(2) | Theft from a motor vehicle (third/subseq. in 5 yrs.) | F3 | 6 | 1 |
| 4101 | Forgery (money, stocks, etc.) | F2 | 4 | 2 |
| 4101 | Forgery (will, deed, etc.) | F3 | 3 | 1 |
| 4101 | Forgery (other) | M1 | 3 | m |
| 4102 | Simulating Antiques | M1 | 3 | m |
| 4103 | Fraudulent Destruction of Recordable Instruments | F3 | 5 | 1 |
| 4104 (a) | Tampering with Records or Identification | M1 | 3 | m |
| 4105 (c)(1)(ii) | Bad Checks (\$200 - < \$500) | M3 | 1 | m |
| 4501 (c)(1)(iii) | Bad Checks (\$500 - < \$1,000) | M2 | 2 | m |
| 4105 (c)(1)(iv) | Bad Checks (\$1,000 - < \$75,000) | M1 | 3 | m |
| 4105 (c)(1)(v) | Bad Checks (\$75,000 or more) | F3 | 5 | 1 |
| 4105 (c)(2) | Bad Checks (3rd or subseq./< \$75,000) | M1 | 3 | m |
| 4105 (c)(2) | Bad Checks (3rd or subseq./\$75,000 or more) | F3 | 5 | 1 |
| 4106 (c)(1)(i) | [Credit Cards (more than \$500)] Access device fraud (\$500 or more) | F3 | [3] 5 | 1 |
| 4106 (c)(1)(ii) | [Credit Cards] Access device fraud (\$50 or more but less than \$500) | [M2] M1 | [2] 4 | m |

* = Subcategorized Offenses. See 303.3(b).

m = Other Misdemeanor Offenses. See 303.7(a)(5).

INCHOATE = Inchoates to 4 point PRS offenses. See 303.3(c) and 303.8(b) for all other inchoates.

CRIMES CODE OFFENSES

| 18 Pa.C.S. § | OFFENSE TITLE | STATUTORY CLASS | § 303.3 OFFENSE GRAVITY SCORE | § 303.7 PRIOR RECORD POINTS |
|--------------------|--|-----------------|-------------------------------|-----------------------------|
| 4106 (c)(1)(iii) | Access device fraud (less than \$50) | M2 | 3 | m |
| 4106 (c)(3) | Access device fraud (provide counterfeit device) | F3 | 5 | 1 |
| 4106 (c)(4) | Access device fraud (possess counterfeit device) | M3 | 2 | m |
| 4106.1 (a)(1) | Unlawful device-making equipment (produce/traffic equipment) | F3 | 6 | 1 |
| 4106.1 (a)(2) | Unlawful device-making equipment (possess equipment) | M1 | 4 | m |
| 4107 (a.1)(1)(i) | Deceptive or Fraudulent Business Practices (> \$2,000) | F3 | 5 | 1 |
| 4107 (a.1)(1)(ii) | Deceptive or Fraudulent Business Practices (\$200—\$2,000) | M1 | 3 | m |
| 4107 (a.1)(1)(iii) | Deceptive or Fraudulent Business Practices (< \$200) | M2 | 2 | m |
| 4107 (a.1)(1)(iv) | Deceptive or Fraudulent Business Practices (amt. not ascertained) | M2 | 2 | m |
| 4107 (a.1)(3)(i) | Deceptive or Fraudulent Business Practices (> \$2,000; victim 60 yrs.+) | F2 | 7 | 2 |
| 4107 (a.1)(3)(ii) | Deceptive or Fraudulent Business Practices (\$200—\$2,000; victim 60 yrs. +) | F3 | 5 | 1 |
| 4107 (a.1)(3)(iii) | Deceptive or Fraudulent Business Practices (< \$200; victim 60 yrs. +) | M1 | 3 | m |
| 4107 (a.1)(3)(iv) | Deceptive or Fraudulent Business Practices (amt. not ascertained; victim 60 yrs. +) | M1 | 3 | m |
| 4107.1 | Deception Relating to Kosher Foods | M3 | 1 | m |
| 4107.2 | Deception Relating to Certification of Minority Business Enterprise or Women's Business Enterprise | F3 | 4 | 1 |
| 4108 | Commercial Bribery and Breach of Duty | M2 | 2 | m |
| 4109 | Rigging Public Contest | M1 | 3 | m |
| 4110 | Defrauding Secured Creditors | M2 | 2 | m |
| 4111 | Fraud in Insolvency | M2 | 2 | m |
| 4112 | Receiving Deposits; Failed Institution | M2 | 2 | m |
| 4113 | Misapplication of Entrusted Property (over \$50) | M2 | 2 | m |
| 4113 | Misapplication of Entrusted Property (\$50 or less) | M3 | 1 | m |
| 4114 | Securing Execution of Documents by Deception | M2 | 2 | m |
| 4115 | Falsely Impersonating Persons Privately Employed | M2 | 2 | m |

* = Subcategorized Offenses. See 303.3(b).

m = Other Misdemeanor Offenses. See 303.7(a)(5).

INCHOATE = Inchoates to 4 point PRS offenses. See 303.3(c) and 303.8(b) for all other inchoates.

CRIMES CODE OFFENSES

| 18 Pa.C.S. § | OFFENSE TITLE | STATUTORY CLASS | § 303.3 OFFENSE GRAVITY SCORE | § 303.7 PRIOR RECORD POINTS |
|-------------------------|--|-------------------------|--|-----------------------------------|
| 4116 (g)(1) | Copying; Recording Devices (100 or more motion picture devices or 1,000 or more sound recording devices) | F3 | 5 | 1 |
| 4116 (g)(1) | Copying; Recording Devices (second or subsequent conviction at time of sentencing) | F2 | 7 | 2 |
| 4116 (g)(2) | Copying; Recording Devices (any other violation) | M1 | 3 | m |
| 4116 (g)(2) | Copying; Recording Devices (any other violation; second or subsequent conviction at time of sentencing) | F3 | 5 | 1 |
| 4116.1 | Unlawful Operation of Recording Device in Motion Picture Theater (first violation) | M1 | 3 | m |
| 4116.1 | Unlawful Operation of Recording Device in Motion Picture Theater (second or subsequent conviction at time of sentencing) | F3 | 4 | 1 |
| 4117 (a) | Insurance Fraud | F3 | 4 | 1 |
| 4117 (b) | Insurance Fraud | M1 | 3 | m |
| 4118 | Washing titles [vehicles] | F3 | 4 | 1 |
| 4119 (c)(1) | Trademark Counterfeiting | M1 | 3 | m |
| 4119 (c)(2) | Trademark Counterfeiting | F3 | 5 | 1 |
| 4119 (c)(3) | Trademark Counterfeiting | F2 | 7 | 2 |
| 4120 (c)(1)(i) | Identity theft (total value < \$2000) | M1 | 3 | m |
| 4120 (c)(1)(ii) | Identity theft (total value \$2000 or more) | F3 | 5 | 1 |
| 4120 (c)(1)(iii) | Identity theft (criminal conspiracy, any amount) | F3 | 5 | 1 |
| 4120 (c)(1)(iv) | Identity theft (third/subsequent offense) | F2 | 7 | 2 |
| 4120 (c)(2)(i) | Identity theft (victim 60 yrs or older, total value < \$2000) | F3 | 5 | 1 |
| 4120 (c)(2)(ii) | Identity theft (victim 60 yrs or older, total value \$2000 or more) | F2 | 7 | 2 |
| 4120 (c)(2)(iii) | Identity theft (victim 60 yrs or older, criminal conspiracy, any amount) | F2 | 7 | 2 |
| 4120 (c)(2)(iv) | Identity theft (victim 60 yrs or older, third/subsequent offense) | F1 | 8 | 3 |
| 4301 | Bigamy | M2 | 3 | m |
| 4302 | Incest | F2 | [7] 9 | [2] 4 |
| 4302 INCHOATE | —Attempt/Solicitation/Conspiracy to Incest | 18 Pa.C.S. § 905 | 9 | 3 |
| 4303 | Concealing Death of Child | M1 | 3 | m |
| 4304 | Endangering Welfare of Children | M1 | 5 | 1 |

* = Subcategorized Offenses. See 303.3(b).

m = Other Misdemeanor Offenses. See 303.7(a)(5).

INCHOATE = Inchoates to 4 point PRS offenses. See 303.3(c) and 303.8(b) for all other inchoates.

CRIMES CODE OFFENSES

| 18 Pa.C.S. § | OFFENSE TITLE | STATUTORY CLASS | § 303.3 OFFENSE GRAVITY SCORE | § 303.7 PRIOR RECORD POINTS |
|--------------|---|-----------------|-------------------------------|-----------------------------|
| 4304 | Endangering Welfare of Children (course of conduct) | F3 | 6 | 1 |
| 4305 | Dealing in Infant Children | M1 | 4 | 1 |
| 4701 | Bribery, Official and Political Matters | F3 | 5 | 1 |
| 4702 | Threats, Official and Political Matters | F3 | 5 | 1 |
| 4702 | Threats, Official and Political Matters | M2 | 2 | m |
| 4703 | Retaliation for Past Official Action | M2 | 2 | m |
| 4902 | Perjury | F3 | 5 | 1 |
| 4903 (a) | False Swearing | M2 | 2 | m |
| 4903 (b) | False Swearing | M3 | 1 | m |
| 4904 (a) | Unsworn Falsification to Authorities | M2 | 2 | m |
| 4904 (b) | Unsworn Falsification to Authorities | M3 | 1 | m |
| 4905 (b) | False Alarms to agencies of public safety (causes a false alarm) | M1 | 3 | m |
| 4905 (b) | False Alarms to agencies of public safety (during a state of emergency) | F3 | 5 | 1 |
| 4906 (a) | False Reports to Law Enforcement [Officials] Authorities (falsely incriminating another) | M2 | 2 | m |
| 4906 (a) | False Reports to Law Enforcement [Officials] Authorities (during a state of emergency) | [M2] M1 | [2] 3 | m |
| 4906 (b) | False Reports to Law Enforcement [Officials] Authorities (fictitious reports) | M3 | 1 | m |
| 4906 (b) | False Reports to Law Enforcement [Officials] Authorities (fictitious reports during a state of emergency) | [M3] M2 | [1] 2 | m |
| 4909 | Witness Taking Bribe | F3 | 5 | 1 |
| 4910 | Tampering with Physical Evidence | M2 | 2 | m |
| 4911 | Tampering w/Public Records or Information | F3 | 4 | 1 |
| 4911 | Tampering w/Public Records or Information | M2 | 2 | m |
| 4912 | Impersonating a Public Servant | M2 | 2 | m |
| 4913 | Impersonating Notary Public | M1 | 3 | m |
| 4914 | False identification to law enforcement authorities | M3 | 1 | m |
| 4952 | Intimidation of Witnesses or Victims (listed factor and most serious charged offense is F1, Murder 1 or Murder 2) | F1 | 11 | 3 |

* = Subcategorized Offenses. See 303.3(b).

m = Other Misdemeanor Offenses. See 303.7(a)(5).

INCHOATE = Inchoates to 4 point PRS offenses. See 303.3(c) and 303.8(b) for all other inchoates.

CRIMES CODE OFFENSES

| 18 Pa.C.S. § | OFFENSE TITLE | STATUTORY CLASS | § 303.3 OFFENSE GRAVITY SCORE | § 303.7 PRIOR RECORD POINTS |
|-----------------------------|--|-----------------|-------------------------------|-----------------------------|
| 4952 | Intimidation of Witnesses or Victims (listed factor(s) and most serious charged offense is F2) | F2 | 9 | 2 |
| 4952 | Intimidation of Witnesses or Victims (any other case in which actor sought to influence or intimidate) | F3 | 7 | 1 |
| 4952 | Intimidation of Witnesses or Victims (any other obstruction or interference) | M2 | 5 | m |
| 4953 | Retaliation Against Witness or Victim | F3 | 8 | 1 |
| 4953 | Retaliation Against Witness or Victim | M2 | 5 | m |
| 4953.1 (b)(1)–(5) | Retaliation against prosecutor or judicial officer (listed circumstances) | F2 | 9 | 2 |
| 4953.1 (b) | Retaliation against prosecutor or judicial officer (all other circumstances) | M1 | 6 | m |
| 5101 | Obstructing Justice | M2 | 3 | m |
| 5102 | Obstruction of Justice by Picketing | M2 | 2 | m |
| 5103 | Unlawfully Listening to Jury Deliberations | M3 | 1 | m |
| 5104 | Resisting Arrest | M2 | 2 | m |
| 5105 | Apprehension, Hindering (if conduct liable to be charged is F1 or F2) | F3 | 4 | 1 |
| 5105 | Apprehension, Hindering | M2 | 2 | m |
| 5107 | Aiding Consummation of Crime (of F1/F2) | F3 | 5 | 1 |
| 5107 | Aiding Consummation of Crime | M2 | 2 | m |
| 5108 | Compounding | M2 | 2 | m |
| 5109 | Barratry | M3 | 1 | m |
| 5110 | Contempt of General Assembly | M3 | 1 | m |
| 5111 | Dealing in Proceeds of Unlawful Activities | F1 | 8 | 3 |
| 5112 | Obstructing emergency services | M3 | 1 | m |
| 5121 (d)(1)(i)(ii)(iii)* | Escape (from a halfway house, pre-release center, treatment center, work-release center, work-release, or by failing to return from an authorized leave or furlough) | F3 | 5 | 1 |
| 5121 (d)(1)(i)(ii)(iii)* | Escape (all other escapes from this subsection) | F3 | 6 | 1 |
| 5121 (d)(2) | Escape | M2 | 3 | m |
| 5122 (a)(1) | Weapons or implements for escape (providing to inmate) | M1 | 8 | m |
| 5122 (a)(2) | Weapons or implements for escape (possessed by inmate) | M1 | 4 | m |

* = Subcategorized Offenses. See 303.3(b).

m = Other Misdemeanor Offenses. See 303.7(a)(5).

INCHOATE = Inchoates to 4 point PRS offenses. See 303.3(c) and 303.8(b) for all other inchoates.

CRIMES CODE OFFENSES

| 18 Pa.C.S. § | OFFENSE TITLE | STATUTORY CLASS | § 303.3 OFFENSE GRAVITY SCORE | § 303.7 PRIOR RECORD POINTS |
|------------------------|---|------------------|-------------------------------|-----------------------------|
| [5122 (a)(3)] | [Weapons or Implements for Escape (tools)] | [M2] | [3] | [m] |
| 5123 (a) | Contraband (provide controlled substance to confined person) | F2 | 7 | 2 |
| 5123 (a.2) | Contraband (possession of controlled substance by confined person) | [M1] F2 | [3] 7 | [m] 2 |
| 5123 (b) | Contraband (money) | M3 | 1 | m |
| 5123 (c) | Contraband (other) | M1 | 3 | m |
| 5123 (c.1) | Contraband (telecommunication devices to inmates) | M1 | 5 | m |
| 5123 (c.2) | Contraband (possession of telecommunication devices by inmates) | M1 | 3 | m |
| 5124 | Default in Required Appearance | F3 | 4 | 1 |
| 5124 | Default in Required Appearance | M2 | 2 | m |
| 5125 | Absconding Witness | M3 | 1 | m |
| 5126 | Avoiding Apprehension | F3 | 5 | 1 |
| 5126 | Avoiding Apprehension | M2 | 2 | m |
| 5301 | Official Oppression | M2 | 2 | m |
| 5302 | Speculating on Official Action | M2 | 2 | m |
| 5501 | Riot | F3 | 4 | 1 |
| 5502 | Failure to Disperse | M2 | 2 | m |
| 5503 | Disorderly Conduct | M3 | 1 | m |
| [5504] | [Harassment by Communication] | [M3] | [1] | [m] |
| 5506 | Loitering and Prowling | M3 | 1 | m |
| 5507 | Obstructing Highways | M3 | 1 | m |
| 5508 | Disrupting Meetings | M3 | 1 | m |
| 5509 | Desecration of Venerated Objects | M2 | 2 | m |
| 5510 | Abuse of Corpse | M2 | 3 | m |
| 5511 (a)(1) | Cruelty to Animals | M2 | 3 | m |
| 5511 (a)(2) | Cruelty to Animals | F3 | 5 | 1 |
| 5511 (a)(2.1)(i) | Cruelty to Animals (killing, maiming, poisoning) | [M2] M1 | 3 | m |
| 5511 (a)(2.1)(ii) | Cruelty to Animals | F3 | 5 | 1 |
| 5511 (e.1) | Cruelty to Animals (transporting equine animals in cruel manner (2nd/subseq.)) | M3 | 1 | m |
| 5511 (h.1) | Cruelty to Animals (animal fighting) | F3 | 5 | 1 |
| 5511.2 (a) | Police animals (illegal to taunt) | F3 | 5 | 1 |
| 5511.2 (b) | Police animals (illegal to torture) | F3 | 7 | 1 |
| 5511.3 | Assault with biological agents on animals, fowl or honey bees | F2 | 7 | 2 |

* = Subcategorized Offenses. See 303.3(b).

m = Other Misdemeanor Offenses. See 303.7(a)(5).

INCHOATE = Inchoates to 4 point PRS offenses. See 303.3(c) and 303.8(b) for all other inchoates.

CRIMES CODE OFFENSES

| 18 Pa.C.S. § | OFFENSE TITLE | STATUTORY CLASS | § 303.3 OFFENSE GRAVITY SCORE | § 303.7 PRIOR RECORD POINTS |
|--|--|-----------------|-------------------------------|-----------------------------|
| 5512 | Lotteries | M1 | 3 | m |
| 5513 | Gambling Devices | M1 | 3 | m |
| 5514 | Pool Selling and Bookmaking | M1 | 3 | m |
| 5515 | Prohibiting Paramilitary Training | M1 | 3 | m |
| 5516 (b) | Facsimile weapons of mass destruction (manufacture, sells, etc.) | F3 | 5 | 1 |
| 5517 | Unauthorized school bus entry | M3 | 1 | m |
| 5703 | Interception, Disclosure or Use of Wire, Electronic or Oral Communications | F3 | 5 | 1 |
| 5705 | Possession, Sale, Distribution, Manufacture or Advertisement of Interception Devices | F3 | 5 | 1 |
| 5719 | Unlawful Use of Intercepted Communications | M2 | 2 | m |
| 5771 | Pen Register and Trap and Trace Devices (general prohibition on use of certain devices and exception) | M3 | 1 | m |
| 5901 | Open Lewdness | M3 | 1 | m |
| 5902 [(a)] (a.1)(1) | Prostitution (first/second offense) | M3 | 1 | m |
| 5902 (a.1)(2) | Prostitution (third offense) | M2 | 3 | m |
| 5902 (a.1)(3) | Prostitution (fourth/subsequent offense) | M1 | 4 | m |
| 5902 [(a)(b)(d)(e) when (a.1),(c)(v) or (e.1) applies] (a.1)(4) | Prostitution [and Related Offenses] (HIV or AIDS related) | F3 | [5] 7 | 1 |
| 5902 [(b)(d) when (c)(1)(i)(ii)(iv) applies] (c)(1) | Promoting Prostitution [and Related Offenses] | F3 | 5 | 1 |
| 5902 (b) when (c)(1)(iii) applies | Prostitution Involving Minors | F3 | 8 | 1 |
| 5902 [(b)] (c)(2) | Promoting Prostitution | M2 | 3 | m |
| 5902 [(e)] (e.1)(1) | Patronizing Prostitutes (first/second offense) | M3 | 1 | m |
| 5902 (e.1)(2) | Patronizing Prostitutes (third offense) | M2 | 3 | m |
| 5902 (e.1)(3) | Patronizing Prostitutes (fourth/subsequent offense) | M1 | 4 | m |
| 5902 (e.1)(4) | Patronizing Prostitutes (HIV/AIDS) | F3 | 7 | 1 |
| 5903 | Obscene Materials | M1 | 3 | m |

* = Subcategorized Offenses. See 303.3(b).

m = Other Misdemeanor Offenses. See 303.7(a)(5).

INCHOATE = Inchoates to 4 point PRS offenses. See 303.3(c) and 303.8(b) for all other inchoates.

CRIMES CODE OFFENSES

| 18 Pa.C.S. § | OFFENSE TITLE | STATUTORY CLASS | § 303.3 OFFENSE GRAVITY SCORE | § 303.7 PRIOR RECORD POINTS |
|---------------------|--|-----------------|-------------------------------|-----------------------------|
| 5903 | Obscene Materials [(subsequent offense)] | F3 | 5 | 1 |
| 5903 | Obscene Materials | F2 | 7 | 2 |
| 5904 | Public Exhibition of Insane or Deformed Person | M2 | 2 | m |
| 6105* | Persons Not to Possess, Use, Manufacture, Control, Sell or Transfer Firearms (loaded) | [M1] F2 | [5] 10 | [1] 2 |
| 6105* | Persons Not to Possess, Use, Manufacture, Control, Sell or Transfer Firearms (unloaded) | [M1] F2 | [4] 9 | [1] 2 |
| 6106 (a)(1)* | Firearms, Not to be Carried Without a License (ineligible; loaded or ammunition in possession or control of defendant) | F3 | [5] 9 | 1 |
| 6106 (a)(1)* | Firearms, Not to be Carried Without a License (ineligible; unloaded and ammunition not in possession or control of defendant) | F3 | [4] 7 | 1 |
| 6106 (a)(2)* | Firearms, Not to be Carried Without a License (eligible; loaded or ammunition in possession or control of defendant) | M1 | 4 | 1 |
| 6106 (a)(2)* | Firearms, Not to be Carried Without a License (eligible; unloaded and ammunition not in possession or control of defendant) | M1 | 3 | 1 |
| 6107 | Prohibited Conduct during Emergency | M1 | 3 | 1 |
| 6108* | Carrying Firearms on Public Streets or Public Property in Philadelphia (loaded or ammunition in possession or control of defendant) | M1 | 5 | 1 |
| 6108* | Carrying Firearms on Public Streets or Public Property in Philadelphia (unloaded and ammunition not in possession or control of defendant) | M1 | 4 | 1 |
| 6110.1 (a) | Possession of Firearm by Minor | M1 | 3 | 1 |
| 6110.1 (c) | Possession of Firearms by Minor (responsibility of adult) | F3 | 7 | 1 |
| 6110.2* | Possession of firearm with altered manufacturer's number (loaded or ammunition in possession or control of defendant) | M1 | 5 | 1 |
| 6110.2* | Possession of firearm with altered manufacturer's number (unloaded and ammunition not in possession or control of defendant) | M1 | 4 | 1 |
| 6111 (g)(1) | Sale or Transfer of Firearms | M2 | 2 | m |

* = Subcategorized Offenses. See 303.3(b).

m = Other Misdemeanor Offenses. See 303.7(a)(5).

INCHOATE = Inchoates to 4 point PRS offenses. See 303.3(c) and 303.8(b) for all other inchoates.

CRIMES CODE OFFENSES

| 18 Pa.C.S. § | OFFENSE TITLE | STATUTORY CLASS | § 303.3 OFFENSE GRAVITY SCORE | § 303.7 PRIOR RECORD POINTS |
|---------------------------|--|-----------------|-------------------------------|-----------------------------|
| 6111 (g)(2)(3)(3.1)(4) | Sale or Transfer of Firearms [(to ineligible; unlawful request for criminal history; false statements)] | F3 | 5 | 1 |
| 6111 (h) | Sale or Transfer of Firearms(subsequent) | F2 | 7 | 2 |
| 6112 | Retail Dealer Required to be Licensed | M1 | 3 | 1 |
| 6113 | Licensing of Dealers | M1 | 3 | 1 |
| 6115 | Loans, Lending, Giving Firearms Prohibited | M1 | 3 | 1 |
| 6116 | False Evidence of Identity | M1 | 3 | 1 |
| 6117 | Altering Marks of Identification | F2 | 7 | 2 |
| 6121 | Certain Bullets Prohibited | F3 | 5 | 1 |
| 6122 | Proof of License | M1 | 3 | 1 |
| 6161 | Carrying Explosives | M2 | 3 | m |
| 6162 | Shipping Explosives | M3 | 3 | m |
| 6301 (a)(1)* | Corruption of Minors (when of a sexual nature) | M1 | 5 | m |
| 6301 (a)(1)* | Corruption of Minors | M1 | 4 | 1 |
| 6301 (a)(2) | Corruption of Minors (second violation of truancy in year) | M3 | 1 | m |
| 6302 | Sale or Lease of Weapons | M1 | 4 | m |
| 6303 | Sale of Starter Pistols | M1 | 4 | m |
| 6304 | Sale of Air Rifles | M3 | 1 | m |
| 6306 | Furnish Cigarettes to Minors (3rd and subsequent offenses) | M3 | 1 | m |
| 6307 | Misrepresentation of Age to Secure Alcohol (subsequent offense) | M3 | 1 | m |
| 6309 | Representing that Minor is of Age | M3 | 1 | m |
| 6310 | Inducement of Minors to Buy Liquor | M3 | 1 | m |
| 6310.1 | Selling Liquor to Minors | M3 | 1 | m |
| 6310.2 | Manufacture or Sale of False ID | M2 | 2 | m |
| 6310.3 | Carrying False ID (subsequent offense) | M3 | 1 | m |
| 6311 | Tattooing [(a minor)] and body piercing (first offense) | M3 | 1 | m |
| 6311 | Tattooing and body piercing (second/subsequent offense within one year) | M2 | 2 | m |
| 6312 (b) | Sexual Abuse of Children [(taking photos)] (photographing, etc.) | F2 | 7 | 2 |
| 6312 (c) | Sexual Abuse of Children [(selling photos)] (dissemination, etc.; first offense) | F3 | 6 | 1 |

* = Subcategorized Offenses. See 303.3(b).

m = Other Misdemeanor Offenses. See 303.7(a)(5).

INCHOATE = Inchoates to 4 point PRS offenses. See 303.3(c) and 303.8(b) for all other inchoates.

CRIMES CODE OFFENSES

| 18 Pa.C.S. § | OFFENSE TITLE | STATUTORY CLASS | § 303.3 OFFENSE GRAVITY SCORE | § 303.7 PRIOR RECORD POINTS |
|----------------|--|----------------------------|-------------------------------|-----------------------------|
| 6312 (c) | Sexual Abuse of Children (dissemination, etc.; second/subsequent offense) | F2 | 8 | 2 |
| 6312 (d) | Possession of Child Pornography (first offense) | F3 | 5 | 1 |
| 6312 (d) | Possession of Child Pornography (second/subsequent offense) | F2 | 8 | 2 |
| 6318 | Unlawful contact or communication with minor (if underlying offense is less than M1) | M1 | 3 | 1 |
| 6318 | Unlawful contact or communication with minor (if underlying offense is M1 or greater) | same as underlying offense | same as underlying offense | same as underlying offense |
| 6319 (a) | Solicitation of minors to traffic drugs (general provision) | F2 | 9 | 2 |
| 6319 (b) | Solicitation of minors to traffic drugs (drug-free school zone) | F1 | 10 | 3 |
| 6320 | Sexual exploitation of children | F2 | 9 | 2 |
| 6501 (a)(3) | Scattering Rubbish (2nd; subsequent offense) | M1 | 3 | m |
| 6501 (a)(3) | Scattering Rubbish (1st. offense) | M2 | 2 | m |
| 6501 (a)(1)(2) | Scattering Rubbish (2nd; subsequent offense) | M3 | 1 | m |
| 6504 | Public Nuisances | M2 | 2 | m |
| 6703 | Military Decorations | M3 | 1 | m |
| 6707 | False Registration of Domestic Animals | M3 | 1 | m |
| 6709 | Use of Union Labels | M3 | 1 | m |
| 6901 | Extension of Water Line | M3 | 1 | m |
| 6910 | Unauthorized Sale of Tickets | M3 | 1 | m |
| 7102 | Drugs to Race Horses | M1 | 3 | m |
| 7103 | Horse Racing | M3 | 1 | m |
| 7104 | Fortune Telling | M3 | 1 | m |
| 7107 | Unlawful Actions by Athlete Agents | M1 | 3 | m |
| 7302 (a) | Sale of Solidified Alcohol | M2 | 2 | m |
| 7302 (b) | Labeling of Solidified Alcohol | M1 | 3 | m |
| 7303 | Sale or Illegal Use of Solvents | M3 | 1 | m |
| 7306 | Incendiary Devices | M1 | 3 | m |
| 7307 | Out of State Convict Made Goods | M2 | 2 | m |
| 7308 | Unlawful Advertising of Insurance Business | M2 | 2 | m |
| 7309 | Unlawful Coercion in Contracting Insurance | M1 | 3 | m |
| 7310 | Furnishing Free Insurance | M3 | 1 | m |
| 7311 | Unlawful Collection Agency Practices | M3 | 1 | m |

* = Subcategorized Offenses. See 303.3(b).

m = Other Misdemeanor Offenses. See 303.7(a)(5).

INCHOATE = Inchoates to 4 point PRS offenses. See 303.3(c) and 303.8(b) for all other inchoates.

CRIMES CODE OFFENSES

| 18 Pa.C.S. § | OFFENSE TITLE | STATUTORY CLASS | § 303.3 OFFENSE GRAVITY SCORE | § 303.7 PRIOR RECORD POINTS |
|--------------------|--|-----------------|-------------------------------|-----------------------------|
| 7312 | Debt Pooling | M3 | 1 | m |
| 7313 | Buying Food Stamps (>\$1,000) | F3 | 5 | 1 |
| 7313 | Buying Food Stamps (<\$1,000) | M1 | 3 | m |
| 7314 | Fraudulent Traffic in Food Orders (>\$1,000) | F3 | 5 | 1 |
| 7314 | Fraudulent Traffic in Food Orders (<\$1,000) | M1 | 3 | m |
| 7316 | Keeping Bucket-Shop | M3 | 1 | m |
| 7317 | Accessories, Bucket-Shop | M3 | 1 | m |
| 7318 | Maintaining Bucket-Shop Premises | M3 | 1 | m |
| 7319 | Bucket-Shop Contracts | M3 | 1 | m |
| 7321 | Lie Detector Tests | M2 | 2 | m |
| 7322 | Demanding Property to Secure Employment | M3 | 1 | m |
| 7323 | Discrimination on Account of Uniform | M2 | 2 | m |
| 7324 | Unlawful Sale of Dissertations, Thesis, Term Papers | M3 | 1 | m |
| 7326 | Disclosure of Confidential Tax Information | M3 | 1 | m |
| 7328 | Operation of Certain Establishments | M3 | 1 | m |
| 7503 | Interest of Certain Architects in Public Works Contracts | M3 | 1 | m |
| 7504 | Appointment of Special Police | M3 | 1 | m |
| 7507 | Breach of Privacy | M2 | 2 | m |
| 7507.1 | Invasion of privacy (single violation) | M3 | 1 | m |
| 7507.1 | Invasion of privacy (more than one violation) | M2 | 3 | m |
| 7509 (a) | Furnishing drug-free urine (unlawful sale or attempt) | M3 | 1 | m |
| 7509 (b) | Furnishing drug-free urine (use or attempt) | M3 | 1 | m |
| 7510 (b)(1) | Municipal housing code avoidance (4th conviction) | M2 | 2 | m |
| 7510 (b)(2) | Municipal housing code avoidance (5th or subsequent conviction) | M1 | 3 | m |
| 7512 | Criminal use of communication facility | F3 | 5 | 1 |
| 7515 | Contingent compensation | M3 | 1 | m |
| 7516 | Greyhound racing | M1 | 3 | m |
| 7611 | Unlawful use of a computer | F3 | 7 | 1 |
| 7612 | Disruption of computer service | F3 | 7 | 1 |
| 7613 | Computer theft | F3 | 7 | 1 |
| 7614 (b)(1) | Unlawful duplication (value of \$2,500 or less) | F3 | 5 | 1 |

* = Subcategorized Offenses. See 303.3(b).

m = Other Misdemeanor Offenses. See 303.7(a)(5).

INCHOATE = Inchoates to 4 point PRS offenses. See 303.3(c) and 303.8(b) for all other inchoates.

CRIMES CODE OFFENSES

| 18 Pa.C.S. § | OFFENSE TITLE | STATUTORY CLASS | § 303.3 OFFENSE GRAVITY SCORE | § 303.7 PRIOR RECORD POINTS |
|--------------|---|-----------------------|-------------------------------|-----------------------------|
| 7614 (b)(2) | Unlawful duplication (value of greater than \$2,500) | F2 | 7 | 2 |
| 7615 | Computer trespass | F3 | 7 | 1 |
| 7616 | Distribution of computer virus | F3 | 7 | 1 |
| 7624 (1) | Internet service provider (child pornography violation, 1st offense) | M3 | 1 | m |
| 7624 (2) | Internet service provider (child pornography violation, 2nd offense) | M2 | 2 | m |
| 7624 (3) | Internet service provider (child pornography violation, 3rd or subsequent offense) | F3 | 5 | 1 |
| 7661 (b)(1) | Unlawful transmission of electronic mail (value of less than \$2,500) | M3 | 1 | m |
| 7661 (b)(2) | Unlawful transmission of electronic mail (damage/reckless disregard, value of \$2,500 or greater) | M1 | 5 | m |
| 7661 (b)(3) | Unlawful transmission of electronic mail (damage/malicious act, value of \$2,500 or greater) | F3 | 7 | 1 |
| | Offenses not otherwise listed [OMNIBUS] | F1 | 8 | 3 |
| | | F2 | 7 | 2 |
| | | F3 | 5 | 1 |
| | | FELONY NOT CLASSIFIED | 5 | 1 |
| | | M1 | 3 | m |
| | | M2 | 2 | m |
| | | M3 | 1 | m |
| | | MISD. NOT CLASSIFIED | 1 | m |

MISCELLANEOUS OFFENSES
(Chop Shop, Crime Victims, Environmental)

| 18 P. S. § | OFFENSE TITLE | STATUTORY CLASS | § 303.3 OFFENSE GRAVITY SCORE | § 303.7 PRIOR RECORD POINTS |
|------------|---|-----------------|-------------------------------|-----------------------------|
| 1.1—1.8 | MOTOR VEHICLE CHOP SHOP AND ILLEGALLY OBTAINED AND ALTERED PROPERTY ACT | | | |
| 1.3 | Owning, operating or conducting a chop shop | F2 | 7 | 2 |
| 1.4 (a) | Altered or illegally obtained property (alteration or destruction of vehicle identification number) | F3 | 5 | 1 |

* = Subcategorized Offenses. See 303.3(b).

m = Other Misdemeanor Offenses. See 303.7(a)(5).

INCHOATE = Inchoates to 4 point PRS offenses. See 303.3(c) and 303.8(b) for all other inchoates.

MISCELLANEOUS OFFENSES
(Chop Shop, Crime Victims, Environmental)

| 18 P. S. § | OFFENSE TITLE | STATUTORY CLASS | § 303.3 OFFENSE GRAVITY SCORE | § 303.7 PRIOR RECORD POINTS |
|------------------------|--|-----------------|----------------------------------|-----------------------------|
| 1.4 (b) | Altered or illegally obtained property (disposition of vehicle) | F3 | 5 | 1 |
| 11.101—11.5102 | CRIME VICTIMS ACT | | | |
| 11.1303 | False claim for victim compensation | M3 | 2 | m |
| 35 P. S. § | OFFENSE TITLE | STATUTORY CLASS | § 303.3 OFFENSE GRAVITY SCORE | § 303.7 PRIOR RECORD POINTS |
| 6018.101— 6018.1002 | SOLID WASTE MANAGEMENT ACT | | | |
| | Knowingly Transports, etc. Hazardous Waste Without Permit | F1 | 9 | 1 |
| | Transports, etc. Hazardous Without Permit | F2 | 7 | 2 |
| | Violation of Act; [DER] DEP Order, etc. | M3 | 1 | m |
| 691.1—691.1001 | CLEAN STREAMS LAW Violation of Act; [DER] DEP Order | M3 | 1 | m |
| 4001—4015 | AIR POLLUTION CONTROL ACT | | | |
| | Knowingly Releases Hazardous Air Pollutant | F1 | 9 | 1 |
| | Violation of Act; [DER] DEP Order | M2 | 2 | m |
| | Negligently Releases Hazardous Air Pollution | M3 | 1 | m |
| 721.1—721.17 | SAFE DRINKING WATER ACT | | | |
| | Knowingly Introduces Contaminant Into Public Water | M1 | 3 | m |
| | Violation of Act; [DER] DEP Order | M3 | 1 | m |

DRUG ACT OFFENSES

| 35 P. S. § 780-113(a) | DESCRIPTION | STATUTORY CLASS | § 303.3 OFFENSE GRAVITY SCORE | § 303.7 PRIOR RECORD POINTS |
|--------------------------|---|-----------------|----------------------------------|-----------------------------|
| (1) | Manufacture/Sale/Delivery of Adulterated Drug | M | 4 | m |
| (2) | Adulteration of Controlled Substance | M | 4 | m |
| (3) | False Advertisement | M | 4 | m |
| (4) | Removal of Detained Substance | M | 5 | m |
| (5) | Adulteration of Sellable Controlled Substance | M | 4 | m |
| (6) | Forging ID Under Act | M | 5 | m |
| (7) | Defraud Trademark | M | 5 | m |
| (8) | Selling Defrauded Trademark | M | 5 | m |
| (9) | Having Equipment to Defraud | M | 5 | m |

* = Subcategorized Offenses. See 303.3(b).

m = Other Misdemeanor Offenses. See 303.7(a)(5).

INCHOATE = Inchoates to 4 point PRS offenses. See 303.3(c) and 303.8(b) for all other inchoates.

DRUG ACT OFFENSES

| 35 P. S. § 780-113(a) | DESCRIPTION | STATUTORY CLASS | § 303.3 OFFENSE GRAVITY SCORE | § 303.7 PRIOR RECORD POINTS |
|--------------------------|--|--------------------|--|-----------------------------------|
| (10) | Illegal Sale of Nonproprietary Drug | M | 4 | m |
| (11) | Illegal Pharmacy Operations | M | 5 | m |
| (12)* | Acquisition of Controlled Substance by Fraud: | | | |
| | Heroin (> 1,000g) | F | 13 | 3 |
| | Heroin (100g to 1000g) | F | 11 | 3 |
| | Heroin (50g to < 100g) | F | 10 | 3 |
| | Heroin (10g to < 50g) | F | 8 | 2 |
| | Heroin (1g < 10 g) | F | 7 | 2 |
| | Heroin (< 1g) | F | 6 | 2 |
| | [Heroin,] Other Narcotics of Schedule I and II, Cocaine, PCP, Methamphetamine (> 1,000g) | F | 13 | 3 |
| | [Heroin,] Other Narcotics of Schedule I and II, Cocaine, PCP, Methamphetamine (100g to 1000g) | F | 11 | 3 |
| | [Heroin,] Other Narcotics of Schedule I and II, Cocaine, PCP, Methamphetamine (50g to < 100g) | F | 10 | 3 |
| | [Heroin,] Other Narcotics of Schedule I and II, Cocaine, PCP, Methamphetamine (10g to < 50g) | F | 8 | 2 |
| | Other Narcotics of Schedule I an II, Cocaine, PCP, Methamphetamine (2.5g to < 10g) | F | 7 | 2 |
| | Other Narcotics of Schedule 1 and II, Cocaine, PCP, Methamphetamine (< 2.5g) | F | 6 | 2 |
| | MDMA (Ecstasy)(Schedule I, non-narcotic) (> 1000 pills) | F | [5] 10 | [2] 3 |
| | MDMA (Ecstasy)(Schedule I, non-narcotic) (100 - < 1000 pills) | F | [5] 7 | 2 |
| | MDMA (Ecstasy)(Schedule I, non-narcotic) (50 - < 100 pills) | F | 5 | 2 |
| | MDMA (Ecstasy)(Schedule I, non-narcotic) (1 - < 50 pills) | F | [5] 3 | 2 |
| | Narcotic Prescription Pills of Schedule II (> 100 pills)(including OxyContin, Percocet) | F | 10 | 3 |
| | Narcotic Prescription Pills of Schedule II (51-100 pills)(including OxyContin, Percocet) | F | 9 | 2 |
| | Narcotic Prescription Pills of Schedule II (21-50 pills)(including OxyContin, Percocet) | F | 8 | 2 |

* = Subcategorized Offenses. See 303.3(b).

m = Other Misdemeanor Offenses. See 303.7(a)(5).

INCHOATE = Inchoates to 4 point PRS offenses. See 303.3(c) and 303.8(b) for all other inchoates.

DRUG ACT OFFENSES

| 35 P. S. § 780-113(a) | DESCRIPTION | STATUTORY CLASS | § 303.3 OFFENSE GRAVITY SCORE | § 303.7 PRIOR RECORD POINTS |
|--------------------------|---|--------------------|--|-----------------------------------|
| | Narcotic Prescription Pills of Schedule II (1-20 pills)(including OxyContin, Percocet) | F | 6 | 2 |
| | Marijuana (1000 lbs. or greater or 5,000 or more live plants) | F | [8] 10 | [2] 3 |
| | Marijuana (50 lbs. to < 1000 lbs. [or greater] or 51 to < 5,000 [or more] live plants) | F | 8 | 2 |
| | Marijuana (10 lbs. to < 50 lbs. or 21 to < 51 live plants) | F | 7 | 2 |
| | Marijuana (1 lb. to < 10 lbs. or 10 to < 21 live plants) | F | 5 | 2 |
| | Marijuana (< 1 lb. or < 10 live plants) | F | 3 | 2 |
| | Schedule I and II Drugs not listed (including GHB, LSD) | F | 5 | 2 |
| | Schedule III and IV Drugs | F | 5 | 2 |
| | Schedule V Drugs | M | 3 | m |
| (13) | Dispense of Drugs to Drug Dependent Person | M | 4 | m |
| (14)* | Delivery by Practitioner | | | |
| | Heroin (>1,000g) | F | 13 | 3 |
| | Heroin (100g to 1000g) | F | 11 | 3 |
| | Heroin (50g to < 100g) | F | 10 | 3 |
| | Heroin (10g to < 50g) | F | 8 | 2 |
| | Heroin (1g to < 10g) | F | 7 | 2 |
| | Heroin (< 1g) | F | 6 | 2 |
| | [Heroin,] Other Narcotics of Schedule I and II, Cocaine, PCP, Methamphetamine (> 1,000g) | F | 13 | 3 |
| | [Heroin,] Other Narcotics of Schedule I and II, Cocaine, PCP, Methamphetamine (100g to 1000g) | F | 11 | 3 |
| | [Heroin,] Other Narcotics of Schedule I and II, Cocaine, PCP, Methamphetamine (50 g to < 100g) | F | 10 | 3 |
| | [Heroin,] Other Narcotics of Schedule I and II, Cocaine, PCP, Methamphetamine (10g to < 50g) | F | 8 | 2 |
| | Other Narcotics of Schedule I and II, Cocaine, PCP, Methamphetamine (2.5g to < 10g) | F | 7 | 2 |
| | Other Narcotics of Schedule I and II, Cocaine, PCP, Methamphetamine (< 2.5g) | F | 6 | 2 |
| | MDMA (Ecstasy)(Schedule I, non-narcotic) (>1000 pills) | F | [5] 10 | [2] 3 |

* = Subcategorized Offenses. See 303.3(b).

m = Other Misdemeanor Offenses. See 303.7(a)(5).

INCHOATE = Inchoates to 4 point PRS offenses. See 303.3(c) and 303.8(b) for all other inchoates.

DRUG ACT OFFENSES

| 35 P. S. § 780-113(a) | DESCRIPTION | STATUTORY CLASS | § 303.3 OFFENSE GRAVITY SCORE | § 303.7 PRIOR RECORD POINTS |
|--------------------------|--|--------------------|--|-----------------------------------|
| | MDMA (Ecstasy)(Schedule I, non-narcotic) (100 - < 1000 pills) | F | [5] 7 | 2 |
| | MDMA (Ecstasy)(Schedule I, non-narcotic) (50 - < 100 pills) | F | 5 | 2 |
| | MDMA (Ecstasy)(Schedule I, non-narcotic) (1 - < 50 pills) | F | [5] 3 | 2 |
| | Narcotic Prescription Pills of Schedule II (> 100 pills)(including OxyContin, Percocet) | F | 10 | [2] 3 |
| | Narcotic Prescription Pills of Schedule II (51 - 100 pills)(including OxyContin, Percocet) | F | 9 | 2 |
| | Narcotic Prescription Pills of Schedule II (21 - 50 pills)(including OxyContin, Percocet) | F | 8 | 2 |
| | Narcotic Prescription Pills of Schedule II (1 - 20 pills)(including OxyContin, Percocet) | F | 6 | 2 |
| | Marijuana (1000 lbs. or greater or 5,000 or more live plants) | F | [8] 10 | [2] 3 |
| | Marijuana (50 lbs. to < 1000 lbs. [or greater] or 51 to < 5,000 [or more] live plants) | F | 8 | 2 |
| | Marijuana (10 lbs. to < 50 lbs. or 21 to < 51 live plants) | F | 7 | 2 |
| | Marijuana (1 lb. to < 10 lbs. or 10 to < 21 live plants) | F | 5 | 2 |
| | Marijuana (< 1 lb. or < 10 live plants) | F | 3 | 2 |
| | Schedule I and II Drugs not listed (including GHB, LSD) | F | 5 | 2 |
| | Schedule III and IV Drugs | F | 5 | 2 |
| | Schedule V Drugs | M | 3 | m |
| (15) | Illegal Retail Sale | M | 4 | m |
| (16) | Simple Possession | M | 3 | m |
| (17) | Dispensing of Drugs Without Label | M | 4 | m |
| (18) | Illegal Sale Container | M | 4 | m |
| (19) | Intentional Unauthorized Purchase | M | 5 | m |
| (20) | Divulging Trade Secret | M | 4 | m |
| (21) | Failure to Keep Records | M | 2 | m |
| (22) | Refusal of Inspection | M | 2 | m |
| (23) | Unauthorized Removal of Seals | M | 5 | m |
| (24) | Failure to Obtain License | M | 2 | m |
| (25) | Manufacture by Unauthorized Party | M | 5 | m |

* = Subcategorized Offenses. See 303.3(b).

m = Other Misdemeanor Offenses. See 303.7(a)(5).

INCHOATE = Inchoates to 4 point PRS offenses. See 303.3(c) and 303.8(b) for all other inchoates.

DRUG ACT OFFENSES

| | 35 P. S. § 780-113(a) | DESCRIPTION | STATUTORY CLASS | § 303.3 OFFENSE GRAVITY SCORE | § 303.7 PRIOR RECORD POINTS |
|-------|--------------------------|--|--------------------|--|-----------------------------------|
| (26) | | Distribution by Registrant of Controlled Substance | M | 5 | m |
| (27) | | Use of Fictitious Registration Number | M | 5 | m |
| (28) | | False Application Material | M | 5 | m |
| (29) | | Production of Counterfeit Trademarks | M | 5 | m |
| (30)* | | Possession With Intent to Deliver (PWID): | | | |
| | | Heroin (> 1,000g) | F | 13 | 3 |
| | | Heroin (100g to 1000g) | F | 11 | 3 |
| | | Heroin (50g to <100g) | F | 10 | 3 |
| | | Heroin (10g to <50g) | F | 8 | 2 |
| | | Heroin (1g to <10g) | F | 7 | 2 |
| | | Heroin (< 1g) | F | 6 | 2 |
| | | [Heroin,] Other Narcotics of Schedule I and II, Cocaine, PCP, Methamphetamine (> 1,000g) | F | 13 | 3 |
| | | [Heroin,] Other Narcotics of Schedule I and II, Cocaine, PCP, Methamphetamine (100g to 1000g) | F | 11 | 3 |
| | | [Heroin,] Other Narcotics of Schedule I and II, Cocaine, PCP, Methamphetamine (50g to <100g) | F | 10 | 3 |
| | | [Heroin,] Other Narcotics of Schedule I and II, Cocaine, PCP, Methamphetamine (10g to <50g) | F | 8 | 2 |
| | | Other Narcotics of Schedule I and II, Cocaine, PCP, Methamphetamine (2.5g to <10g) | F | 7 | 2 |
| | | Other Narcotics of Schedule I and II, Cocaine, PCP, Methamphetamine (< 2.5g) | F | 6 | 2 |
| | | MDMA (Ecstasy)(Schedule I, non-narcotic) (>1000 pills) | F | [5] 10 | [2] 3 |
| | | MDMA (Ecstasy)(Schedule I, non-narcotic) (100 - < 1000 pills) | F | [5] 7 | 2 |
| | | MDMA (Ecstasy)(Schedule I, non-narcotic) (50 - < 100 pills) | F | 5 | 2 |
| | | MDMA (Ecstasy)(Schedule I, non-narcotic) (1 - < 50 pills) | F | [5] 3 | 2 |
| | | Narcotic Prescription Pills of Schedule II (> 100 pills)(including OxyContin, Percocet) | F | 10 | [2] 3 |
| | | Narcotic Prescription Pills of Schedule II (51 - 100 pills)(including OxyContin, Percocet) | F | 9 | 2 |

* = Subcategorized Offenses. See 303.3(b).

m = Other Misdemeanor Offenses. See 303.7(a)(5).

INCHOATE = Inchoates to 4 point PRS offenses. See 303.3(c) and 303.8(b) for all other inchoates.

DRUG ACT OFFENSES

| 35 P. S. § 780-113(a) | DESCRIPTION | STATUTORY CLASS | § 303.3 OFFENSE GRAVITY SCORE | § 303.7 PRIOR RECORD POINTS |
|--------------------------------|---|--------------------|--|-----------------------------------|
| | Narcotic Prescription Pills of Schedule II (21 - 50 pills)(including OxyContin, Percocet) | F | 8 | 2 |
| | Narcotic Prescription Pills of Schedule II (1 - 20 pills)(including OxyContin, Percocet) | F | 6 | 2 |
| | Marijuana (1000 lbs. or greater or 5,000 or more live plants) | F | [8] 10 | [2] 3 |
| | Marijuana (50 lbs. to < 1000 lbs. [or greater] or 51 to < 5,000 [or more] live plants) | F | 8 | 2 |
| | Marijuana (10 lbs. to < 50 lbs. or 21 to < 51 live plants) | F | 7 | 2 |
| | Marijuana (1 lb. to < 10 lbs. or 10 to < 21 live plants) | F | 5 | 2 |
| | Marijuana (< 1 lb. or < 10 live plants) | F | 3 | 2 |
| | Schedule I and II Drugs not listed (including GHB, LSD) | F | 5 | 2 |
| | Schedule III and IV Drugs | F | 5 | 2 |
| | Schedule V Drugs | M | 3 | m |
| (31) | Small Amount of Marijuana | M | 1 | m |
| (32) | Possession of Paraphernalia | M | 1 | m |
| (33) | PWID Paraphernalia (no minor) | M | 3 | m |
| (33) | PWID Paraphernalia (minor w/Conditions) | M2 | 4 | m |
| (34) | Ad for Drug Paraphernalia | M | 1 | m |
| (35) | Illegal Sale of Non controlled Substance | F | [6] 5 | 2 |
| (36) | Designer Drugs | F | 5 | 2 |
| (37) | Possession of Steroids | M | 4 | m |
| (38)(i) | Unlawful manufacture of methamphetamine (child under 18 years of age present) | F3 | 7 | 1 |
| (38)(ii) | Unlawful manufacture of methamphetamine (child under 18 years of age suffers serious bodily injury) | F2 | 9 | 2 |
| 35 P. S. § 780-113.1 (a) | DESCRIPTION | STATUTORY CLASS | § 303.3 OFFENSE GRAVITY SCORE | § 303.7 PRIOR RECORD POINTS |
| (1) | Liquefied Ammonia Gas; Precursors and Chemicals (possessing or transporting liquefied ammonia gas) | M | 3 | m |

* = Subcategorized Offenses. See 303.3(b).

m = Other Misdemeanor Offenses. See 303.7(a)(5).

INCHOATE = Inchoates to 4 point PRS offenses. See 303.3(c) and 303.8(b) for all other inchoates.

DRUG ACT OFFENSES

| 35 P. S. § 780-113.1 (a) | DESCRIPTION | STATUTORY CLASS | § 303.3 OFFENSE GRAVITY SCORE | § 303.7 PRIOR RECORD POINTS |
|--------------------------------|--|--------------------------|--|-----------------------------------|
| (2) | Liquefied Ammonia Gas; Precursors and Chemicals (possessing or transporting liquefied ammonia gas with intent to manufacture controlled substance)) | F | 5 | 2 |
| (3) | Liquefied Ammonia Gas; Precursors and Chemicals (possessing red phosphorous, etc.) | F | 5 | 2 |
| | Offenses not otherwise listed [OMNIBUS] | F1 | 8 | 3 |
| | | F2 | 7 | 2 |
| | | F3 | 5 | 1 |
| | | FELONY NOT CLASSIFIED | 5 | 1 |
| | | M1 | 3 | m |
| | | M2 | 2 | m |
| | | M3 | 1 | m |
| | | MISD. NOT CLASSIFIED | 1 | m |

JUDICIAL CODE

| 42 Pa.C.S. § | OFFENSE TITLE | STATUTORY CLASS | § 303.3 OFFENSE GRAVITY SCORE | § 303.7 PRIOR RECORD POINTS |
|---------------|--|--------------------|--|-----------------------------------|
| 4583.1 (b)(1) | Aggravated jury tampering (most serious offense submitted for deliberation is F1 or Murder 1 or Murder 2) | F1 | 11 | 3 |
| 4583.1 (b)(2) | Aggravated jury tampering (most serious offense submitted to jury is F2) | F2 | 9 | 2 |
| 4583.1 (b)(3) | Aggravated jury tampering (any other violation) | F3 | 7 | 1 |
| 4732 (a) | DNA database, disclosure prohibition (disclose to unauthorized person) | M1 | 3 | m |
| 4732 (b) | DNA database, disclosure prohibition (obtain without authorization) | M1 | 3 | m |
| [9793 (e)] | [Failure to Register (sexually violent offenses)] | [F3] | [6] | [1] |
| [9795 (d)] | [Failure to Register (sexually violent predator)] | [F3] | [6] | [1] |
| 9795.2 (d)(1) | Failure to register (10-year registration) | F3 | 6 | 1 |
| 9795.2 (d)(2) | Failure to register (lifetime registration) | F1 | 8 | 3 |

* = Subcategorized Offenses. See 303.3(b).

m = Other Misdemeanor Offenses. See 303.7(a)(5).

INCHOATE = Inchoates to 4 point PRS offenses. See 303.3(c) and 303.8(b) for all other inchoates.

VEHICLE CODE OFFENSES

| 75 Pa.C.S. § | OFFENSE TITLE | STATUTORY CLASS | § 303.3 OFFENSE GRAVITY SCORE | § 303.7 PRIOR RECORD POINTS |
|-----------------|---|-----------------|--|-----------------------------------|
| 9796 (e)(1) | Failure to [Register] verify residence (10-year registration) | F3 | 6 | 1 |
| 9796 (e)(2) | Failure to verify residence (lifetime registration) | F1 | 8 | 3 |
| 1543 (1.1)(ii) | Driving while operating privilege is suspended or revoked (if (b)(1) and BAC of 0.02% or greater or under influence; 2nd offense) | M3 | 1 | m |
| 1543 (1.1)(iii) | Driving while operating privilege is suspended or revoked (if (b)(1) and BAC of 0.02% or greater or under influence, 3rd/subseq. offense) | M1 | 3 | m |
| 1571 (a)(5) | Violations concerning licenses (exhibit or cause altered driver's license) | M1 | 3 | m |
| 1571 (a.1) | Violations concerning licenses (employees and agents issuing altered driver's license) | F3 | 5 | 1 |
| 3712 | Abandonment/Stripping of Vehicles | M3 | 1 | m |
| [3731] | [Driving Under the Influence (1st conviction in 7 years) (MANDATORY MINIMUM=48 HOURS)] | [M2] | [2] | [m] |
| [3731] | [Driving Under the Influence (2nd conviction in 7 years) (MANDATORY MINIMUM=30 DAYS)] | [M2] | [2] | [m] |
| [3731] | [Driving Under the Influence (3rd conviction in 7 years) (MANDATORY MINIMUM=90 DAYS)] | [M1] | [3] | [1] |
| [3731] | [Driving Under the Influence (4th/subseq. conviction in 7 years) (MANDATORY MINIMUM=1 YEAR)] | [M1] | [3] | [1] |
| 3732* | Homicide by Vehicle (when there is also a conviction for DUI arising from the same incident; occurs in active work zone) | [M1] F3 | [8] 10 | 1 |
| 3732* | Homicide by Vehicle (when there is also a conviction for DUI arising from the same incident) | [M1] F3 | 8 | 1 |
| 3732* | Homicide by Vehicle (when there is not a conviction for DUI arising from the same incident; occurs in active work zone) | [M1] F3 | [6] 8 | 1 |
| 3732* | Homicide by Vehicle (when there is not a conviction for DUI arising from the same incident) | [M1] F3 | 6 | 1 |

* = Subcategorized Offenses. See 303.3(b).

m = Other Misdemeanor Offenses. See 303.7(a)(5).

INCHOATE = Inchoates to 4 point PRS offenses. See 303.3(c) and 303.8(b) for all other inchoates.

VEHICLE CODE OFFENSES

| 75 Pa.C.S. § | OFFENSE TITLE | STATUTORY CLASS | § 303.3 OFFENSE GRAVITY SCORE | § 303.7 PRIOR RECORD POINTS |
|----------------------------|---|-----------------|----------------------------------|-----------------------------|
| 3733 | Fleeing or Aluding Police | M2 | 2 | m |
| 3735 | Homicide by Vehicle while DUI (MANDATORY MINIMUM=3 YEARS) | F2 | [8] 10 | 2 |
| 3735.1 | Aggravated Assault by Vehicle while DUI | F2 | 7 | 2 |
| 3742 (b)(1) | Accident Involving Death or Personal Injury (failure to stop) | M1 | 3 | m |
| 3742 (b)(2) | Accident Involving Death or Personal Injury (resulting in SBI) (MANDATORY MINIMUM= 90 DAYS) | F3 | 5 | 1 |
| 3742 (b)(3) | Accident Involving Death or Personal Injury (resulting in death) (MANDATORY MINIMUM=1 YEAR) | F3 | 6 | 1 |
| 3742.1 (b)(1) | Accident involving death or personal injury while not properly licensed [(license suspended)] | M2 | 2 | m |
| [3742.1 (b)(1)] | [Accident Involving Death or Personal Injury (no license issued)] | [M3] | [1] | [m] |
| 3742.1 (b)(2)* | Accident involving death or personal injury while not properly licensed [(SBI, license suspended)] (SBI) | F3 | [4] 5 | 1 |
| 3742.1 (b)(2) * | Accident involving death or personal injury while not properly licensed [(death, no license issued)] (death) | F3 | [5] 6 | 1 |
| [3742.1 (b)(2) *] | [Accident Involving Death or Personal Injury (SBI, license suspended)] | [M1] | [3] | [m] |
| [3742.1 (b)(2) *] | [Accident Involving Death or Personal Injury (death, no license issued)] | [M1] | [4] | [m] |
| 3743 | Accident Involving Damage to Attended Vehicle | M3 | 1 | m |
| 3802 | Driving under influence of alcohol or controlled substance (DUI) | | | |
| 3802 (a)(1) | DUI (incapable of safe driving; first offense) | M | 1 | m |
| 3802 (a)(1) | DUI (incapable of safe driving; second offense) | M | 1 | 1 |
| 3802 (a)(1) | DUI (incapable of safe driving; third/subsequent offense) | M2 | 3 | 1 |
| 3802 (a)(1) | DUI (refuse testing; first offense) | M | 1 | m |
| 3802 (a)(1) | DUI (refuse testing; second offense) | M1 | 5 | 1 |
| 3802 (a)(1) | DUI (refuse testing; third/subsequent offense) | M1 | 5 | 1 |

* = Subcategorized Offenses. See 303.3(b).

m = Other Misdemeanor Offenses. See 303.7(a)(5).

INCHOATE = Inchoates to 4 point PRS offenses. See 303.3(c) and 303.8(b) for all other inchoates.

VEHICLE CODE OFFENSES

| 75 Pa.C.S. § | OFFENSE TITLE | STATUTORY CLASS | § 303.3 OFFENSE GRAVITY SCORE | § 303.7 PRIOR RECORD POINTS |
|--------------|--|-----------------|----------------------------------|-----------------------------|
| 3802 (a)(1) | DUI (accident; first offense) | M | 1 | m |
| 3802 (a)(1) | DUI (accident; second offense) | M | 1 | 1 |
| 3802 (a)(1) | DUI (accident; third offense) | M1 | 5 | 1 |
| 3802 (a)(1) | DUI (accident; fourth/subsequent offense) | M1 | 5 | 1 |
| 3802 (a)(2) | DUI (BAC .08 - <.10; first offense) | M | 1 | m |
| 3802 (a)(2) | DUI (BAC .08 - <.10; second offense) | M | 1 | 1 |
| 3802 (a)(2) | DUI (BAC .08 - <.10; third/subsequent offense) | M2 | 3 | 1 |
| 3802 (b) | DUI (BAC .10 - <.16; first offense) | M | 1 | m |
| 3802 (b) | DUI (BAC .10 - <.16; second offense) | M | 1 | 1 |
| 3802 (b) | DUI (BAC .10 - <.16; third offense) | M1 | 5 | 1 |
| 3802 (b) | DUI (BAC .10 - <.16; fourth/subsequent offense) | M1 | 5 | 1 |
| 3802 (c) | DUI (BAC .16+; first offense) | M | 1 | m |
| 3802 (c) | DUI (BAC .16+; second offense) | M1 | 5 | 1 |
| 3802 (c) | DUI (BAC .16+; third/subsequent offense) | M1 | 5 | 1 |
| 3802 (d) | DUI (controlled substance; first offense) | M | 1 | m |
| 3802 (d) | DUI (controlled substance; second offense) | M1 | 5 | 1 |
| 3802 (d) | DUI (controlled substance; third/subsequent offense) | M1 | 5 | 1 |
| 3802 (e) | DUI (under 21 years of age; first offense) | M | 1 | m |
| 3802 (e) | DUI (under 21 years of age; second offense) | M | 1 | 1 |
| 3802 (e) | DUI (under 21 years of age; third offense) | M1 | 5 | 1 |
| 3802 (e) | DUI (under 21 years of age; fourth/subsequent offense) | M1 | 5 | 1 |
| 3802 (f) | DUI (commercial/school vehicle; first offense) | M | 1 | m |
| 3802 (f) | DUI (commercial/school vehicle; second offense) | M | 1 | 1 |
| 3802 (f) | DUI (commercial/school vehicle; third offense) | M1 | 6 | 1 |
| 3802 (f) | DUI (commercial/school vehicle; fourth/subsequent offense) | M1 | 7 | 1 |
| 3808 | Ignition interlock | | | |
| 3808 (a)(2) | Ignition interlock (illegally operate vehicle not equipped; BAC .025 or greater) | M | 1 | m |
| 3808 (b) | Ignition interlock (tampering with ignition interlock system) | M | 1 | m |

* = Subcategorized Offenses. See 303.3(b).

m = Other Misdemeanor Offenses. See 303.7(a)(5).

INCHOATE = Inchoates to 4 point PRS offenses. See 303.3(c) and 303.8(b) for all other inchoates.

VEHICLE CODE OFFENSES

| 75 Pa.C.S. § | OFFENSE TITLE | STATUTORY CLASS | § 303.3 OFFENSE GRAVITY SCORE | § 303.7 PRIOR RECORD POINTS |
|--------------|---|-----------------------|----------------------------------|-----------------------------|
| 7102 | Falsify Vehicle Identification | M1 | 3 | m |
| 7102 | Falsify Vehicle Identification | M3 | 1 | m |
| 7103 | Deal in Vehicles with Removed Identification | F3 | 5 | 1 |
| 7103 | Deal in Vehicles with Removed Identification | M3 | 1 | m |
| 7111 | Deal in Stolen Plates | M1 | 3 | m |
| 7112 | False Report of Theft or Vehicle Conversion | M3 | 1 | m |
| 7121 | False Application for Title/Registration | M1 | 3 | m |
| 7122 | Altered or Forged Title or Plates | M1 | 3 | m |
| 7132 | Prohibited Activities Related to Odometers (1st or subsequent offense, subchapter D) | F3 | 4 | 1 |
| 7133 | Permissible Activities Related to Odometers (1st or subsequent offense, subchapter D) | F3 | 4 | 1 |
| 7134 | Odometer Disclosure Requirement (1st or subsequent offense, subchapter D) | F3 | 4 | 1 |
| 7135 | Odometer Mileage Statement (1st or subsequent offense, subchapter D) | F3 | 4 | 1 |
| 7136 | Conspiracy to Violate (1st or subsequent offense, subchapter D) | F3 | 4 | 1 |
| 7137 | Violation of Unfair Trade Practices (1st or subsequent offense, subchapter D) | F3 | 4 | 1 |
| 7752(b) | Unauthorized Disposition of Forms | M3 | 1 | m |
| 8306(b) | Willful Violations | M3 | 1 | m |
| 8306(c) | Subsequent Willful Violations | M2 | 2 | m |
| | Offenses not otherwise listed [OMNIBUS]: | F1 | 8 | 3 |
| | | F2 | 7 | 2 |
| | | F3 | 5 | 1 |
| | | FELONY NOT CLASSIFIED | 5 | 1 |
| | | M1 | 3 | m |
| | | M2 | 2 | m |
| | | M3 | 1 | m |
| | | MISD. NOT CLASSIFIED | 1 | m |

* = Subcategorized Offenses. See 303.3(b).

m = Other Misdemeanor Offenses. See 303.7(a)(5).

INCHOATE = Inchoates to 4 point PRS offenses. See 303.3(c) and 303.8(b) for all other inchoates.

§ 303.16. Basic Sentencing Matrix.

| Level | OGS | Example Offenses | Prior Record Score | | | | | | RFEL | REVOG | AGG/MIT | |
|--|---|---|--|-------------|-------------|-------------|-------------|-------------|-------------|-------------|---------|-------|
| | | | 0 | 1 | 2 | 3 | 4 | 5 | | | | |
| LEVEL 5 State Incar | 14 | Murder 3 Inchoate Murder/SBI Rape (child <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./injury) PWID Cocaine, etc. (>1,000 gms) | 60-78 | 66-84 | 72-90 | 78-96 | 84-102 | 96-114 | 108-126 | 240 | +/- 12 | |
| | 12 | Rape IDSI Robbery (SBI) | 48-66 | 54-72 | 60-78 | 66-84 | 72-90 | 84-102 | 96-114 | 120 | +/- 12 | |
| | 11 | Agg Asslt (SBI) Voluntary Manslaughter Sexual Assault PWID Cocaine, etc. (100-1,000 gms) | 36-54 BC | 42-60 | 48-66 | 54-72 | 60-78 | 72-90 | 84-102 | 120 | +/- 12 | |
| | 10 | Kidnapping Agg. Indecent. Asslt Agg Asslt (att. SBI) Arson (person inside) Hom. by veh.(DUI & work zone) PWID Cocaine, etc. (50-<100 gms) | 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 (F1/F2) Burglary (home/person) Arson (no person inside) | 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 | Agg Asslt (BI w/DW) Agg Asslt (att. BI w/DW) [F1] Identity theft (60 yrs., 3rd off.) Hom. by veh.(DUI or work zone) Theft (>\$100,000) PWID Cocaine, etc. (10-<50 gms) | 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 | Robbery (inflicts/threatens BI) Burglary (home/ no person) [F2] Statutory Sexual Assault Theft (>\$50,000-\$100,000) Identity theft (3rd off.) PWID Cocaine, etc. (2.5-<10 gms) | 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. harassment by prisoner Hom. by vehicle Burglary (not home/person) Theft (>\$25,000-\$50,000) Arson (property) PWID Cocaine, etc. (<2.5 gms) | 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 | Burglary (not home/no person) Theft (>\$2000-\$25,000) [F3] DUI (M1) PWID (1-<10 lb of marij) | RS-9 | 1-12 BC | 3-14 BC | 6-16 BC | 9-18 BC | 12-18 BC | 24-36 BC | NA | +/- 3 | |
| | 4 | Indecent assault Forgery (money, stocks) Weapon on school property Crim Trespass (breaks in) | RS-3 | RS-9 | RS-<12 | 3-14 BC | 6-16 BC | 9-16 BC | 21-30 BC | NA | +/- 3 | |
| | 3 | [M1] Simple Assault Theft (\$200-\$2000) DUI (M2) Drug Poss. | 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) Bad Checks | 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. Shaded 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 program shall not 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
 - CNTY = county
 - INCAR = incarceration
 - PWID = possession with intent to deliver
 - REVOG = repeat violent offender category
 - RFEL = repeat felony 1 and felony 2 offender category
 - RIP = restrictive intermediate punishments
 - RS = restorative sanctions
 - SBI = serious bodily injury
 - SL = statutory limit (longest minimum sentence)
 - ~ = no recommendation (aggravated sentence would exceed statutory limit)
 - < ; > = less than; greater than

§ 303.17. DWE/Possessed Matrix.

| Level | OGS | Deadly Weapon | Prior Record Score | | | | | RFEL | REVOC | AGG/MIT | |
|---------|-----|---------------|--------------------|-------|--------|--------|--------|---------|---------|---------|--------|
| | | | 0 | 1 | 2 | 3 | 4 | | | | 5 |
| 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 | 16-22 | 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 |

§ 303.18. DWE/Used Matrix.

| Level | OGS | Deadly Weapon | Prior Record Score | | | | | RFEL | REVOC | AGG/MIT | |
|---------|-----|---------------|--------------------|--------|--------|--------|---------|---------|---------|---------|--------|
| | | | 0 | 1 | 2 | 3 | 4 | | | | 5 |
| 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 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 |
| Level 3 | 5 | Used | 12-21 | 13-24 | 15-26 | 18-28 | 21-28 | 24-30 | 36-48 | NA | +/-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 |

[Pa.B. Doc. No. 05-46. Filed for public inspection January 7, 2005, 9:00 a.m.]

THE COURTS

Title 246—MINOR COURT CIVIL RULES

PART I. GENERAL

[246 PA. CODE CH. 400]

Technical Amendments Concerning Execution of Judgments for Money

The Minor Court Rules Committee is planning to recommend that the Supreme Court of Pennsylvania amend Rules 410 and 412 of the Rules of Conduct, Office Standards and Civil Procedure for District Justices to make technical amendments concerning the execution of judgments for money. The Committee has not submitted this proposal for review by the Supreme Court of Pennsylvania.

The following explanatory Report highlights the Committee's considerations in formulating this proposal. The Committee's Report should not be confused with the Committee's Official Notes to the rules. The Supreme Court does not adopt the Committee's Official Notes or the contents of the explanatory reports.

The text of the proposed changes precedes the Report. Additions are shown in bold; deletions are in bold and brackets.

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

Michael F. Krimmel, Counsel
Supreme Court of Pennsylvania
Minor Court Rules Committee
5035 Ritter Road, Suite 700
Mechanicsburg, PA 17055
Fax 717-795-2175

or e-mail to: minorrules@pacourts.us

no later than Monday, February 21, 2005.

By the Minor Court Rules Committee

THOMAS E. MARTIN, Jr.,
Chair

Annex A

TITLE 246. MINOR COURT CIVIL RULES

PART I. GENERAL

CHAPTER 400. EXECUTION OF JUDGMENTS FOR THE PAYMENT OF MONEY

Rule 410. [**Bond for**] Stay of Execution **Generally**.

Execution shall be stayed as to the property of the defendant upon the occurrence of any of the following:

(1) **Upon written direction of the plaintiff to the executing officer.**

(2) **Upon the entry of [If the defendant, or any person or party in interest, enters] a bond with the district justice by any person or party in interest, with security approved by [him] the district justice, in the amount of the plaintiff's judgment, including probable interest and costs, or in such lesser amount as**

the district justice may direct, [the district justice shall stay execution as to the property of the defendant. The bond shall name] naming the Commonwealth of Pennsylvania as the obligee, and [shall be] conditioned to pay the amount due within [ninety (90)] 90 days of the entry of the bond, unless the time for payment is extended by the district justice. [This rule does not apply to judgments obtained for wages for manual labor.]

Official Note: Compare Pa.R.C.P. No. 3121(a) [(2)]. Other rules in this chapter may also provide for a stay in specific circumstances covered by those rules.

Rule 412. Notice of Sale.

A. (1) The executing officer shall give notice of the sale of personal property at least six days prior to the sale [**by handbills posted in the office of the district justice from which the order of execution issued, at the place of sale and, if different from the place of sale, at the place of levy and by mailing a copy of the handbill to the defendant at his last known address and to the plaintiff**].

(2) **The executing officer shall give notice of the sale in the following manner:**

(a) **By handbill posted in the office of the district justice from which the order of execution issued and, if different from the office from which the order issued, in the office of the district justice in whose magisterial district the place of the sale is located.**

(b) **By handbill posted at the place of sale and, if different from the place of sale, at the place of levy.**

(c) **By mailing a copy of the handbill to the plaintiff and to the defendant at his or her last known address.**

B. The notice of sale shall include a notice that all claims to the property must be filed before sale in the office of the district justice from which the order of execution issued and that all claims to the proceeds must be filed in that office before distribution; that a **proposed** schedule of distribution will be filed in that office on a date specified not later than five [(5)] days after the sale; and that distribution will be made in accordance with the **proposed** schedule unless exceptions are filed within ten [(10)] days thereafter. No further notice of the filing of the schedule of distribution need be given.

* * * * *

Official Note: Compare Pa.R.C.P. No. 3128. See **Section 8151** of the Judicial Code, [**§ 8151,**] 42 Pa.C.S. § 8151, [**added by § 10(96) of the Judiciary Act Repealer Act, Act of April 28, 1978, P. L. 202, No. 53,**] as to giving notice to the Department of Revenue [, **at least twenty days prior to sale, a report or return concerning the property to be sold, unless exempted by regulation**].

REPORT

*Proposed Amendments to Pa.R.C.P.D.J. Nos. 410 and 412***Technical Amendments Concerning Execution of Judgments for Money**

The Minor Court Rules Committee (hereinafter the Committee) is proposing technical amendments to Rules 410 and 412 of the Rules of Conduct, Office Standards, and Civil Procedure for District Justices to address two separate issues concerning the execution of judgments for money.

The Committee reviewed Pa.R.C.P.D.J. No. 410 in response to an inquiry from a constable who asked if execution of a money judgment could be stayed upon request of the plaintiff. The Committee noted that the district justice rules governing execution of money judgments do make provision for a stay of execution in certain circumstances,¹ but not specifically at the direction of the plaintiff. The Committee further noted that the Rules of Civil Procedure governing actions in the courts of record do provide for a stay of execution "upon written direction of the plaintiff."²

The Committee believed it advisable to incorporate a provision into the district justice rules to allow for stay upon written direction of the plaintiff. The Committee reasoned that post-judgment settlement negotiations may affect a plaintiff's desire to move forward with execution once commenced, and believed that a plaintiff should have the ability to stay execution by contacting the executing officer directly.

Accordingly, the Committee proposes that Rule 410 be amended to provide for the stay of execution upon written direction of the plaintiff to the executing officer. To accomplish this, the Committee proposes that Rule 410 be tabulated into an introductory clause and two subparagraphs containing the provisions as to when execution shall be stayed, including the new provision regarding a stay at the direction of the plaintiff. In addition, the Committee proposes that the current provision regarding the inapplicability of the rule to judgments obtained for wages for manual labor be deleted. This provision was based on a prior law³ that was repealed by the Judiciary Act Repealer Act,⁴ and was not expressly codified in the Judicial Code (Title 42, *Pennsylvania Consolidated Statutes*).

The Committee reviewed Pa.R.C.P.D.J. No. 412 in response to an inquiry from a constable who suggested that executing officers be required to post notice of a sale in the office of the district justice in whose magisterial district the place of sale is located if different from the office from which the order of execution issued.⁵ It was suggested that this requirement would aid in informing an executing officer of other levies that may have been made upon the same property that is the subject of his or her levy and sale. This information is needed so that an executing officer will know if there is an existing levy by another executing officer that has priority over his or her levy.

¹ See Pa.R.C.P.D.J. No. 410 (providing for stay of execution upon entry of bond), Pa.R.C.P.D.J. No. 413 (providing for stay of sale of property because of objection to levy or other property claim), and Pa.R.C.P.D.J. No. 420 (providing for relief in cases of property claims and disputes).

² Pa.R.C.P. No. 3121(a)(1).

³ The Act of May 14, 1874, P. L. 145, No. 79, § 1, 12 P. S. § 2207.

⁴ The Act of April 28, 1978, P. L. 202, No. 53, § 2, 42 Pa.C.S. § 20002(a) [640] as amended by the Act of Oct. 5, 1980, P. L. 693, No. 142, § 324(b).

⁵ Rule 412 already requires the posting of a handbill in the office of the district justice from which the order of execution issued. This proposal would not change that requirement, but would require that the notice be posted in a second district justice office if the place of sale is located in a different magisterial district.

The Committee agreed that the proposed notice requirement would be helpful. Accordingly, the Committee proposes that Rule 412A be divided into two subparagraphs. Subparagraph (1) would contain the existing provision that notice of the sale be given at least six days prior to the sale. Subparagraph (2) would contain the requirements as to how notice is to be given, including the new provision discussed above.

In addition, the Committee proposes other minor revisions to the rules and notes to address gender neutrality issues and to enhance clarity.

[Pa.B. Doc. No. 05-47. Filed for public inspection January 7, 2005, 9:00 a.m.]

Title 25—LOCAL COURT RULES

CLEARFIELD COUNTY

Local Rules of Civil Procedure; 2004-29-MD

Order

Local Rules L205.2(a) and (b), L205.4, L206.1, L206.4, L206.6, L206.7(c), L208.2, L208.3(b), L208.4, L210, L211, L1028, L1034(c) and L1035.2(c) are adopted pursuant to Pa.R.C.P. Nos. 239.1, 239.2, 239.3, 239.4, 239.5, 239.6, and 239.7, and are effective thirty days after publication in the *Pennsylvania Bulletin*. All local rules inconsistent with the foregoing local rules are suspended as of the effective date of the foregoing rules.

In accordance with Pa.R.C.P. No. 239, the Court Administrator of Clearfield County shall transmit certified copies of this order and the foregoing Local Rules as follows:

A. Seven (7) certified copies with the Administrative Office of Pennsylvania Courts;

B. Two (2) certified copies and a diskette containing the rules to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

C. One (1) certified copy to the Civil Procedural Rules Committee of the Pennsylvania Supreme Court;

D. One (1) copy in the office of the Prothonotary of Clearfield County to be kept continuously available for public inspection and copying. In addition, one (1) copy shall be delivered to the Clearfield County Law Library.

In addition, the Court Administrator of Clearfield County shall cause the foregoing rules to be published on the website of the Administrative Office of Pennsylvania Courts and on the Clearfield County website.

By the Court

FREDRIC J. AMMERMAN,
President Judge

Local Rule 205.2(a)—Filing Legal Papers with the Prothonotary

No pleading or other legal paper that complies with the Pennsylvania Rules of Civil Procedure shall be refused for filing by the prothonotary based on a requirement of a local rule of civil procedure or judicial administration, including Local Rules 205.2(a) and 205.2(b). All documents filed in any office of the Court shall be endorsed with the day and exact time of filing, which endorsement,

in the absence of fraud, accident or mistake shall be conclusive evidence of such date and time of filing.

(a)(1) No pleading, papers, affidavits or other documents may be filed in any office of the Court on paper other than 8 1/2" x 11" in size.

(a)(2) No paper shall be filed in any office of the Court unless it is written in ink, clearly legible, printed, or typewritten with lines not closer than typewriting double spacing (except quotations); contains the caption of the proceeding, including the name and division of the Court, identifying case number, the names of the parties, the title of the proceeding and the name of the paper. All papers filed shall be endorsed with the name, address, telephone number and I.D. number of the attorney filing it or the name, address and telephone number of the party if there is no attorney. The caption of any paper filed subsequent to the initial pleading need only state the name of the first party on each side with an appropriate indication of the other parties.

(a)(3) The use of bluebacks or other backing is not required.

(a)(4) All papers and other documents shall be securely affixed at the top left corner.

(a)(5) A proposed order shall accompany all petitions, motions or other requests for relief.

Local Rule 205.2(b)

COVER SHEET

All papers constituting the initial pleadings shall have a cover sheet in substantially the following form:

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION—(LAW)(EQUITY)

No. _____

Type of Case: _____

Type of Pleading: _____

Filed on Behalf of: _____

_____ (Plaintiff/Defendant)

Counsel of Record for this Party: _____

_____ (Name of Attorney)

Supreme Court No.: _____

_____ (Firm name, if any)

_____ (Address)

_____ (Phone)

Plaintiff

VS.

Defendant

Dated: _____

Local Rule 205.4

(a) No original documents shall be filed by electronic filing except by special leave of the Court.

(b) In the event the Court permits filing in accordance with subsection(a), the party filing legal papers shall comply with Pa.R.C.P. 205.4.

Local Rule 206.1—Petition. Content. Form.

(a) As used in this chapter, "petition" means:

(1) an application to open a default judgment or a judgment of non pros;

(2) a petition may also be used to bring before the Court any proper matter for which no other specific procedure is authorized or in which only a petition is prescribed as the authorized procedure for bringing such matter before the Court for disposition.

Note: A petition for relief from a judgment by confession is governed by Pa.R.C.P. Rule 2959. Motions are governed by Local Rule 208.1 et seq.

(b) A petition shall specify the relief sought and state the material facts which constitute the grounds therefor.

(c) A petition shall be divided into paragraphs numbered consecutively. Each paragraph shall contain as far as practicable only one material allegation.

(d) A petition shall be verified in accordance with Pa.R.C.P. 206.3.

(e) Except for emergency matters, no petition seeking ex parte action shall be considered by the Court unless the petition contains a certification by counsel for the moving party that concurrence in the petition has been sought from all opposing counsel and that such concurrence has been granted or denied. Where concurrence has been granted, the written concurrence of opposing counsel shall be attached to the petition. In the event a party is not represented, except in emergency matters, no petition seeking ex parte action shall be considered by the Court unless the petition contains a certification by counsel that prior notice of the contents of the petition and order and that counsel intends to present the petition and order to the Court for action has been given to the opposing party.

(f) All petitions, except those made in the course of trial or hearing, shall be in writing. All written petitions shall be signed by counsel and may be filed at any time during regular business hours with the prothonotary. Counsel's signature upon a petition shall constitute a certification that counsel has read the petition and that, to the best of counsel's knowledge, information and belief, it is supported by sufficient legal or factual grounds and that it is not interposed merely for delay. Except where counsel has presented the petition to the Court to secure an order, the prothonotary shall deliver daily a petitions list with accompanying petitions to the Court Administrator to monitor and assign to a judge.

(g) All petitions shall have affixed to the front of the petition a proposed order in accordance with Local Rule 206.6(a) or (b).

(h) All petitions and answers thereto, shall comply with these provisions.

(i) Failure to comply with any provision of this rule may constitute sufficient grounds for the Court to dismiss the petition and/or deny any requested relief.

Local Rule 206.4

The procedure for issuing a rule to show cause shall be the procedure set forth in Pa.R.C.P. 206.6 and Local Rule 206.6.

Local Rule 206.6

Upon filing of a petition, the prothonotary shall issue a rule to show cause where petitioner seeks only to direct respondent to file an answer in accordance with Pa.R.C.P.

206.6(c)(2). In such cases, the order shall only include sections c(1), (2), (3), and (6) as set forth in Pa.R.C.P. 206.6(1).

(a) The order for a rule to file an answer shall be as follows:

(CAPTION)
ORDER

AND NOW, this _____ day of _____, _____, upon consideration of the foregoing petition, it is hereby ordered that:

- (1) a rule is issued upon the respondent to show cause why the petitioner is not entitled to the relief requested;
- (2) the respondent shall file an answer to the petition within twenty (20) days of service upon the respondent;
- (3) the petition shall be decided under Pa.R.C.P. No. 206.7;
- (4) notice of the entry of this order shall be provided to all parties by the petitioner.

NOTICE

A PETITION HAS BEEN FILED AGAINST YOU IN COURT. IF YOU WISH TO DEFEND AGAINST THE MATTERS SET FORTH IN THE FOLLOWING PETITION, YOU MUST ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE AN ANSWER IN WRITING WITH THE PROTHONOTARY SETTING FORTH YOUR DEFENSES OR OBJECTIONS TO THE MATTER SET FORTH AGAINST YOU AND SERVE A COPY ON THE ATTORNEY OR PERSON FILING THE PETITION. YOU ARE WARNED THAT IF YOU FAIL TO DO SO THE CASE MAY PROCEED WITHOUT YOU AND AN ORDER MAY BE ENTERED AGAINST YOU BY THE COURT WITHOUT FURTHER NOTICE FOR THE RELIEF REQUESTED BY THE PETITIONER. YOU MAY LOSE RIGHTS IMPORTANT TO YOU.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

COURT ADMINISTRATOR
Clearfield County Courthouse
Second & Market Streets
Clearfield, PA 16830
(814) 765-2641, Ext. 50-51

BY THE COURT,

(b) The orders seeking relief from the Court other than the filing of an answer shall be as follows:

(CAPTION)
ORDER

AND NOW, this _____ day of _____, _____, upon consideration of the foregoing petition, it is hereby ordered that:

- (1) a rule is issued upon the respondent to show cause why the petitioner is not entitled to the relief requested;
 - (2) _____
- _____
(any special relief requested);

(3) the respondent shall file an answer to the petition within twenty (20) days of service upon the respondent;

(4) the petition shall be decided under Pa.R.C.P. No. 206.7;

(5) depositions shall be completed within _____ days of this date;

(6) an evidentiary hearing on disputed issues of material fact shall be held on _____ in Courtroom _____ of the Clearfield County Courthouse;

(7) notice of the entry of this order shall be provided to all parties by the petitioner.

NOTICE

A PETITION HAS BEEN FILED AGAINST YOU IN COURT. IF YOU WISH TO DEFEND AGAINST THE MATTERS SET FORTH IN THE FOLLOWING PETITION, YOU MUST ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE AN ANSWER IN WRITING WITH THE PROTHONOTARY SETTING FORTH YOUR DEFENSES OR OBJECTIONS TO THE MATTER SET FORTH AGAINST YOU AND SERVE A COPY ON THE ATTORNEY OR PERSON FILING THE PETITION. YOU ARE WARNED THAT IF YOU FAIL TO DO SO THE CASE MAY PROCEED WITHOUT YOU AND AN ORDER MAY BE ENTERED AGAINST YOU BY THE COURT WITHOUT FURTHER NOTICE FOR THE RELIEF REQUESTED BY THE PETITIONER. YOU MAY LOSE RIGHTS IMPORTANT TO YOU.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

COURT ADMINISTRATOR
Clearfield County Courthouse
Second & Market Streets
Clearfield, PA 16830
(814) 765-2641, Ext. 50-51

BY THE COURT,

(g) The moving party shall serve the petition on the respondent or his attorney in accordance with Pa.R.C.P. 440. After service, the moving party shall file a certificate of service within five (5) days of the service of the petition and order showing how the petition was served, and if by mail, the address of the respondent or his attorney to which the petition was directed.

Local Rule 206.7

(c)(a)(1) In the event no answer is filed within twenty (20) days of service of the petition, then the petitioner may praecipe the prothonotary, which praecipe shall contain a certification that no answer has been filed, and shall also include a proposed order. Upon receipt of the praecipe, the prothonotary shall forward the praecipe to the Court Administrator who shall deliver the praecipe together with certification and attached proposed order to the Court for the entry of the proposed order.

(c)(1) The petitioner, in lieu of discovery, may request the Court to hold an evidentiary hearing as to the disputed issues of fact. In such instance the petition shall be decided on petition and answer and the testimony presented to the Court.

Local Rule 208.2 Motion. Form. Content

- (a) All motions shall:
 - (1) be in writing and be filed in the office of the prothonotary;
 - (2) contain a caption setting forth the name of the Court, the number of the action, the name of the motion, and the name of the moving party;
 - (3) be divided into paragraphs numbered consecutively;
 - (4) set forth with particularity material facts constituting grounds on which they are based, precisely state the relief being sought, and include a proposed order;
 - (5) include a certificate of service which sets forth the manner of service including the name of an attorney of record for each party that is represented by counsel, the party whom the attorney represents, a pro se designation for each party that is unrepresented, and the address at which service was made; and
 - (6) be signed and endorsed, indicating the signing attorney of record has read the motion and that, to the best of his or her knowledge, information and belief, there are good grounds to support such motion and it is not interposed merely for delay;
- (b) A motion need not be verified unless verification is required by general rule governing the particular motion or by order of Court;
- (c) All motions shall include a brief statement of the applicable statute, case, or procedural rule authorizing the grant of such relief;
- (d) All motions shall contain a certification by counsel for the moving party that concurrence in the motion has been sought from all opposing counsel and that such concurrence has been granted or denied. Where concurrence has been granted, the written concurrence of opposing counsel shall be attached to the motion. Failure to comply with this provision shall constitute sufficient grounds for the Court to deny the motion.
- (e) All motions relating to discovery shall include a certification signed by counsel for the moving party certifying that counsel has conferred or attempted to confer with all interested parties in order to resolve the matter without Court action.
- (f) All motions shall include a proposed order in the form set forth in 208.4(b)(2).

(g)(1) For cause shown, any moving party may request expedited disposition of any motion filed with the prothonotary. If expedited disposition is requested, a praecipe shall be filed with the motion explaining the grounds for requesting such expedited disposition. Upon receipt of a praecipe for expedited disposition, the Court Administrator shall promptly notify the moving party of the judicial assignment. It shall be the responsibility of the moving party to arrange a teleconference among the judge and all other counsel interested in the subject of the motion within three (3) business days of the time the motion is presented.

(g)(2) The praecipe required by subparagraph (g)(1) shall be substantially in the following form:

(CAPTION)
PRAECIPE

TO THE COURT ADMINISTRATOR:

Expedited Disposition of attached motion is requested for the following reasons:

ATTORNEY FOR (Plaintiff or Defendant)
FOR COURT ADMINISTRATOR ACTION ONLY
____ MOTION OR PETITION ASSIGNED TO JUDGE
____ COUNSEL FOR MOVING PARTY NOTIFIED OF
JUDICIAL ASSIGNMENT

Local Rule 208.3(b) Motions. Response

All motions shall be governed by the procedure set forth in Local Rule 208.4.

Local Rule 208.4 Procedure As To Disposition Of Motion

- (a) At the initial consideration of a motion, the Court may enter an order that:
 - (1) disposes of the motion, or
 - (2) sets forth the procedures the Court will use for deciding the motion which may include one or more of the following:
 - (i) the filing of initial or supplemental responses,
 - (ii) the filing of initial or supplemental briefs,
 - (iii) the filing of affidavits, depositions and the like,
 - (iv) the issuance of a rule to show cause pursuant to subdivision (b) of this rule,
 - (v) the holding of an evidentiary hearing, and
 - (vi) the entry of an order providing for any other procedure for developing the record.

(b) The order required by paragraph (a) shall be substantially in the following form:

(CAPTION)
ORDER

AND NOW, this _____ day of _____, _____, upon consideration of the foregoing motion, it is hereby ordered that:

- (1) a rule is issued upon the respondent to show cause why the moving party is not entitled to the relief requested;
- (2) the respondent shall file an answer to the motion within _____ days of this date;
- (3) the motion shall be decided under Pa.R.C.P. 206.7;
- (4) depositions and all other discovery shall be completed within _____ day of this date;
- (5) an evidentiary hearing on disputed issues of material fact shall be held on _____, in the Clearfield County Courthouse, Clearfield, Pennsylvania, in Courtroom No. _____;
- (6) argument shall be held on _____, in Courtroom No. _____ of the Clearfield County Courthouse; and
- (7) notice of the entry of this order shall be provided to all parties by the moving party.

BY THE COURT,

(c) the Court, upon its own initiative, may schedule an evidentiary hearing on disputed issues of material fact and may, in its discretion, provide for disposition of the matter on briefs, without the necessity of oral argument. In such instances, the Court shall establish a briefing schedule in its initial order.

(d) The Court, in its discretion, may permit forms of discovery other than depositions.

(e) The party obtaining the issuance of a rule to show cause shall forthwith serve a true and correct copy of the Court order entering the rule along with a copy of the underlying petition, upon each attorney of record and pro se parties in the manner prescribed by Pa.R.C.P. 440. An affidavit of service shall be filed within five (5) days from the date of the service of the motion and the order setting the rule with the prothonotary.

Local Rule 210 Submission and Form of Briefs.

(a) All briefs shall be lodged with the Court Administrator and a copy thereof served upon every other party.

Note: Briefs are not to be filed in the prothonotary's office or delivered directly to the Court.

(b) Briefs shall be typewritten or printed and double-spaced (except for quotations) on paper approximately 8-1/2 inches by 11 inches in size, and shall contain:

- (1) A history of the case.
- (2) A statement of the question or questions involved.
- (3) A copy of, or reference to, the pertinent parts of any relevant document, report, recommendation, and order, portions of the relevant testimony involved with a reference to the transcript and page where it may be found.
- (4) An argument with citations of the authority relied upon divided into as many sections as there are questions involved.
- (5) A conclusion.
- (6) Opinions of Court or Agency involved.

(c) Briefs shall be submitted to the Court in accordance with a schedule set by the Court upon request of either party. The moving party shall deliver a copy of the brief to the adverse party and file a copy with the Court Administrator in accordance with the schedule. The respondent shall deliver the brief to the moving party and file a copy with the Court Administrator in accordance with the schedule. No supplemental brief shall be filed except upon special allowance by the Court and within such time as the Court may direct.

(d) All counsel appearing in any other proceeding scheduled for hearing before the Court shall provide the Court with a brief or memorandum of law setting forth legal authorities relied upon. Such brief or memorandum of law shall be provided to the Court at the time of the hearing unless otherwise specified by these Local Rules or by Order of the Court.

(e) *Informal Letter Briefs.* Notwithstanding this Rule, the Court may in any case allow the parties to file an informal letter brief.

Local Rule 211

Either party may file a praecipe with the prothonotary to direct the Court Administrator to establish a briefing schedule for petitions, motions, and special motions; arguments for preliminary objections and motions for judgment on pleadings; assign a case to a judge for further action; and to set dates for special hearings and pretrial matters generally. Upon receipt of the praecipe,

the Prothonotary shall transmit the praecipe to the Court Administrator. The Court Administrator, after consultation with the president judge or where a judge has acted in a case after consultation with that judge, shall assign the matter to a judge and establish such schedule or date. The Court Administrator shall give written notice to all attorneys or pro se parties of the actions taken under this rule.

Local Rule 1028 Preliminary Objections

(c)(1) Preliminary objections shall be filed with the prothonotary. At the time of filing such pleading with the prothonotary, the moving party shall also file a praecipe, pursuant to Local Rule 211, requesting the Court Administrator to schedule an argument date for consideration of the preliminary objections.

(2) In the event there are factual disputes arising from the preliminary objections and answers thereto, the procedure to be followed shall be as set forth in Local Rule 208.4.

(3) Disposition of a motion for preliminary objections shall be made after oral argument.

(4) In the event the Court determines that briefs shall be filed following argument on the preliminary objections, then it shall enter an order establishing a briefing schedule.

(5) The judge to whom the preliminary objections have been assigned for disposition may in the exercise of judicial discretion grant additional time to file briefs, require additional briefs to be filed, or make such other order as shall be appropriate for the disposition of the matter.

Local Rule 1034 Motion for Judgment on the Pleadings

(c)(1) A motion for judgment on the pleadings shall be filed with the prothonotary. At the time of filing such motions with the prothonotary, the moving party shall also file a praecipe, pursuant to Local Rule 211, requesting the Court Administrator to assign the matter to a judge to schedule an argument date for consideration of the motion for judgment on the pleadings.

(2) Disposition of a motion for judgment on the pleadings shall be made after oral argument.

(3) In the event the Court determines that briefs shall be filed following argument on the motion for judgment on the pleadings, then it shall enter an order establishing a briefing schedule.

(4) The judge to whom the motion for judgment on the pleadings has been assigned for disposition may in the exercise of judicial discretion grant additional time to file briefs, require additional briefs to be filed, or make such other order as shall be appropriate for the disposition of the matter.

Local 1035.2 Motion for Summary Judgment

(c)(1) A motion for summary judgment shall be filed with the prothonotary. At the time of filing such motions with the prothonotary, the moving party shall serve a copy of the motion on the other party or parties to the case who shall file a response and such affidavits or exhibits in accordance with Pa.R.C.P. 1035.3.

(2) Upon the filing of the response or in the event no response is filed within thirty (30) days of the service of the motion, either party may file a praecipe pursuant to Local Rule 211 requesting the Court Administrator to

assign the matter to a judge to establish a briefing schedule and argument for consideration of the motion.

(3) Upon filing a motion for summary judgment, the moving party shall file a brief, pursuant to Local Rule 210, in accordance with the schedule established by the Court Administrator and shall serve a copy thereof upon all opposing counsel and any pro se party at their respective addresses of record. When filed, the brief shall be accompanied by a certificate indicating that such has been served upon the moving party.

(4) All parties who wish to contest a motion for summary judgment shall file a reply brief and a certificate such has been served on the moving party in accordance with the schedule established by the Court Administrator.

(5) Disposition of a motion for summary judgment shall be made after oral argument. The parties may agree to submit the matter on briefs only with appropriate notice to the Court Administrator of such agreement.

(6) The judge to whom a motion for summary judgment has been assigned for disposition may in the exercise of judicial discretion grant additional time to file briefs, require additional briefs to be filed, or make such other order as shall be appropriate for the disposition of the matter.

(7) Failure to comply with these provisions may be sufficient basis for the Court to deny the motion or deem such motion uncontested.

Local Rule 1005—Appellate Procedure from District Justices

Service of Notice of Appeal and Other Documents from Appeal from a District Justice Decision

(1) The Prothonotary shall require that in regard to any appeal from a District Justice civil decision that the appellant provide with the Notice of Appeal a stamped envelope, pre-addressed to the appellee, at the appellee's address as listed on the Complaint form filed in the office of the District Justice or as otherwise appearing in the records from that office, or the attorney of record, if any, of the appellee, as well as a stamped envelope, pre-addressed, to the District Justice in whose office the judgment was rendered. Copies of the Notice of Appeal, and Rule to File a Complaint pursuant to Rule of District Justice Procedure 1004B, if applicable, shall thereupon be mailed by the Prothonotary by first class mail to the appellee and District Justice.

(2) The Prothonotary shall note such service and any return thereof on the Court's docket.

(3) The Prothonotary shall not be required to file a Notice of Appeal to a District Justice judgment or verdict without the appellant providing the above described stamped and addressed envelopes for service purposes.

(4) At the conclusion of any District Justice civil case, upon rendering of the decision, the District Justice shall provide a copy of this Rule to the party against whom the judgment or verdict is rendered, with the same either being made when applicable by personal service or through the mail along with the notice of entry of judgment or verdict.

(5) Upon the Court of Common Pleas disposing of the appeal from a District Justice decision, the Prothonotary shall in all cases utilize the Common Pleas notification request form, prepared by the Administrative Office of Pennsylvania Courts (being AOPC Form 729B-98 or any future revision of the same) in order to notify the District Justice of the result of the appeal. The Prothonotary shall

also provide the District Justice a copy of the Court Order or document which is dispositive of the case.

[Pa.B. Doc. No. 05-48. Filed for public inspection January 7, 2005, 9:00 a.m.]

DELAWARE COUNTY

Adoption of Local Rule 1042.21 Medical Professional Liability Actions; Motions for Mediation; 00-3708

Order

And Now, to wit, this 20th day of December, 2004, it is hereby *Ordered* that Delaware County Local Rule 1042.21 is *Adopted* and shall read as follows:

(A) The ADR Committee of the Delaware County Bar Association shall prepare a list of available co-mediators it deems appropriate for mediation in medical professional liability actions subject to approval by the Court. The list shall be updated annually by the Committee and resubmitted to the Court for approval.

(B) The Court Administrator shall designate the assigned co-mediators upon request by the Court.

(C) In the event the Court approves a motion for mediation and only if the parties have not agreed to a private mediator(s), the Court shall request the Civil Court Administrator to designate co-mediators. The Court shall thereafter order mediation, including in its Order the name, address, and telephone number of the co-mediators. A copy of the Court order shall be forwarded to the Civil Court Administrator, and to the selected co-mediators. If a co-mediator has a conflict of interest, or is unable to serve for any reason, then the co-mediator shall immediately notify the Civil Court Administrator for purposes of further assignment.

(D) The co-mediators shall confer with each other and all counsel to establish the date, time, and place of the mediation session pursuant to the Court's Order. Unless specifically requested by the co-mediators, the parties shall not contact or forward documents to the co-mediators. Counsel who are primarily responsible for the case and any unrepresented party shall attend the mediation session. All parties, insurers and principals of parties of decision-making authority must attend the mediation session in person, unless their attendance is excused by the co-mediators for good cause shown; in such an event, they must be available by telephone during all mediation sessions. All parties, insurers, principals, and counsel must be prepared to fully discuss all liability and damage issues and to participate in meaningful settlement negotiations.

(E) The co-mediators, (generally comprised of an experienced member of the Plaintiff's Bar and an experienced member of the Defense Bar), will jointly conference the case, attempting to facilitate settlement (utilizing standard mediation practices, including shuttle diplomacy, caucusing, etc.), or they may give a neutral evaluation. The co-mediators cannot be called as a witness as to the mediation of any issue arising therefrom. All communications among the co-mediators, the parties, and/or their counsel shall remain confidential. Any comments and/or opinions expressed by the co-mediators are advisory only. All counsel, parties, their agents and/or representatives shall comply with these directives, including the foregoing terms and conditions contained in this local Rule.

(F) No mediation proceedings, including any statement made or writing submitted by a participant, shall be disclosed to any person who is not directly involved with the mediation session. The parties' settlement positions and/or statements shall not be disclosed to the trial Judge unless mutually agreed to by the parties; and, in the event the case involves a non jury trial, under no circumstances shall the parties' settlement positions and statements be disclosed to the assigned Judge. No transcript or other recording may be made of the mediation session, and the mediation proceeding shall not be used by any adverse party for any reason including the litigation at issue.

(G) The moving party who sought mediation shall notify the Court and the Civil Court Administrator in writing at the conclusion of the mediation process indicating whether or not a settlement has been reached.

(H) The moving party shall pay the cost of the co-mediators and shall pay each co-mediator directly. The rate of compensation for each co-mediator is \$150.00 per hour. The party who initially filed the motion for mediation shall also pay a \$50.00 non-refundable administrative fee paid to the Delaware County Bar Association upon assignment of the co-mediators by the Court.

By the Court

KENNETH A. CLOUSE,
President Judge

[Pa.B. Doc. No. 05-49. Filed for public inspection January 7, 2005, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Disbarment

Notice is hereby given that John Wilson Davis, II, having been disbarred from the practice of law in the State of Maryland by Order dated July 29, 2004, the Supreme Court of Pennsylvania issued an Order on December 17, 2004, disbaring John Wilson Davis, II, from the Bar of this Commonwealth, effective January 16, 2005. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,
*Executive Director and Secretary
The Disciplinary Board of the
Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 05-50. Filed for public inspection January 7, 2005, 9:00 a.m.]

Notice of Disbarment

Notice is hereby given that Philip L. Kantor having been disbarred from the practice of law in the State of New Jersey by Order dated June 24, 2004, the Supreme Court of Pennsylvania issued an Order on December 17, 2004, disbaring Philip L. Kantor from the Bar of this Commonwealth, effective January 16, 2005. In accordance

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

ELAINE M. BIXLER,
*Executive Director and Secretary
The Disciplinary Board of the
Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 05-51. Filed for public inspection January 7, 2005, 9:00 a.m.]

Notice of Disbarment

Notice is hereby given that L. Van Stillman having been disbarred from the practice of law in the State of Florida by Order dated May 6, 2004, the Supreme Court of Pennsylvania issued an Order on December 17, 2004, disbaring L. Van Stillman from the Bar of this Commonwealth, effective January 16, 2005. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,
*Executive Director and Secretary
The Disciplinary Board of the
Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 05-52. Filed for public inspection January 7, 2005, 9:00 a.m.]

Notice of Suspension

Notice is hereby given that John A. Evans having been suspended from the practice of law in the State of New Jersey for a period of three months, the Supreme Court of Pennsylvania issued an Order dated December 22, 2004 suspending John A. Evans from the practice of law in this Commonwealth for a period of three months, effective January 21, 2005. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,
*Executive Director and Secretary
The Disciplinary Board of the
Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 05-53. Filed for public inspection January 7, 2005, 9:00 a.m.]

SUPREME COURT

**Law Clerks Employed by Judges of the Courts of
the Unified Judicial System of Pennsylvania; No.
267 Judicial Administration; Doc. No. 1**

Order

Per Curiam:

And Now, this 21st day of December, 2004, it is hereby *Ordered*, effective September 1, 2005, that all law clerks

employed by judges of the courts of the Unified Judicial System of Pennsylvania are prohibited from appearing as counsel in the division/section of the court in which the judge by whom they are employed serves. Further, in courts which have no formally established divisions or

sections, the law clerks are prohibited from appearing as counsel in the court itself.

[Pa.B. Doc. No. 05-54. Filed for public inspection January 7, 2005, 9:00 a.m.]

RULES AND REGULATIONS

Title 37—LAW

STATE POLICE

[37 PA. CODE CH. 42]

Use of Unmarked Vehicles

The State Police adopts Chapter 42 (relating to use of unmarked vehicles) to read as set forth in Annex A.

Section 5 of the act of June 26, 2001 (P. L. 374, No. 75) (Act 75) requires the State Police, in consultation with the Department of Transportation, to promulgate regulations for the use of unmarked vehicles by police officers. The effective date of the act was August 25, 2001. This final-form rulemaking requires officers using unmarked vehicles to carry identification and display it upon request unless it would jeopardize officer's safety. Officers using unmarked vehicles for patrol duties must be in uniform; officers using unmarked cars for duties that are likely to involve vehicle stops must wear clothing bearing the specific name of the law enforcement agency or task force. When making a stop in an unmarked vehicle, the officer must choose the safest location possible. In a vehicle pursuit, officers in an unmarked vehicle must have audible and visual signals that comply with 75 Pa.C.S. § 4571 (relating to visual and audible signals on emergency vehicles). Unmarked vehicles must relinquish the lead in pursuit as soon as marked vehicles are available.

Statutory Authority

This final-form rulemaking is authorized by section 5 of Act 75.

Effect

The final-form proposed rulemaking will affect all Commonwealth police agencies that use unmarked vehicles.

Effective Date/Sunset Date

This rulemaking will go into effect upon final-form publication in the *Pennsylvania Bulletin*. No sunset date has been assigned; however, every facet of this proposed rulemaking will be continuously reviewed for effectiveness, clarity and whether they are serving the greater interests of citizens of this Commonwealth.

Comments and Responses

The State Police received the following comments:

§ 42.1. (relating to purpose)

The Independent Regulatory Review Commission (IRRC) questioned whether the section applies to stops or pursuits relating to traffic violations or all stops and pursuits that involve unmarked cars. IRRC also commented on the fact that § 42.1 refers to the use of unmarked vehicles for law enforcement whereas 75 Pa.C.S. § 3328 (relating to unmarked vehicles) directs the State Police to promulgate regulations for the use of unmarked vehicles by police officers. The State Police has amended § 42.1 to more closely parallel the statute by explaining that it is necessary to establish uniformity in the use of unmarked cars by police officers.

§ 42.2. (relating to policy and effect)

IRRC noted that the phrase "permit the use of unmarked vehicles for law enforcement" also appears in

§ 42.2. The State Police has replaced the words "for law enforcement" with "by police officers" to more closely conform to 75 Pa.C.S. § 3328. IRRC also questioned whether there is a statutory or constitutional basis for stating in the regulation that failure to comply with Chapter 42 will not affect the legality of any arrest or citation nor be grounds for the suppression of evidence. The United States Supreme Court has ruled that violation of a regulation does not mandate suppression of evidence. See *United States v. Caceres*, 440 U.S. 741 (1979); see also, *United States v. Hinton*, 222 F.3d 666, 674-75 (2000). In *Commonwealth v. Thill*, 612 A.2d 1043 (Pa. Super. 1992), the State Superior Court determined that suppression of a breath test result was the proper remedy for violating regulatory requirements because statutory requirement in the Vehicle Code made compliance with the regulation mandatory for admissibility. In stark contrast, nothing in 75 Pa.C.S. § 3328 indicates that the General Assembly intended to remedy a violation of these unmarked vehicle regulations by suppressing evidence or dismissing criminal charges. IRRC has opined that the remedy to be imposed is a policy decision of such a substantial nature that it requires legislative review. The State Police agrees that this is a substantial policy question and has amended § 42.2 to provide that failure to comply with the regulations will not affect the legality of the arrest or citation nor be grounds for suppression of evidence except as provided by statutory or constitutional law.

§ 42.3. (relating to definitions)

Light bar assembly

IRRC pointed out that the definition of "light bar assembly" differs from that found in 67 Pa. Code § 173.2 (relating to definitions) and recommends amending the definition to be consistent with 67 Pa. Code § 173.2. The State Police has changed the definition to more closely parallel the language in 67 Pa. Code § 173.2 except that the State Police has retained the requirement that the beams of light have 360° visibility. The 360° requirement is necessary to ensure the safety of officers and the public, and it reflects the current, state-of-the art standards for light bar assembly.

Marked police vehicle and unmarked police vehicle

IRRC noted that this section defines "marked police vehicle" and "unmarked police vehicle" whereas the body of the chapter uses the terms "marked unit" and "unmarked vehicle." The State Police has amended §§ 42.21 and 42.22 to use the defined terms.

IRRC commented that the term "unmarked police vehicle" is defined as, "a police vehicle not equipped with a roof mounted light-bar assembly. The vehicle may display graphics, markings or decals identifying the agency or department." IRRC believes the second sentence makes the definition ambiguous and recommends deleting it. The State Police disagrees. The State Police believes the second sentence is necessary to make it clear that a vehicle is considered unmarked even if it displays graphic markings that are commonly associated with marked police vehicles.

The Pennsylvania Sheriffs' Association recommended replacing the terms "marked police vehicle" and "unmarked police vehicle" with "marked law enforcement vehicle" and "unmarked law enforcement vehicle." As

IRRC pointed out, however, the authorizing statute tasks the State Police with the responsibility for regulating the use of unmarked vehicles by police officers. Accordingly, the State Police has rejected the recommendation of the Sheriffs' Association.

Police Officer

IRRC commented that 75 Pa.C.S. § 3328 uses the term "police officer" whereas the rulemaking uses the term "officer." IRRC recommended that the preamble to the final-form rulemaking explain the reason for the use of the term "officer" instead of "police officer" and then define the term "officer" in the chapter. The State Police has chosen to remedy this inconsistency by replacing the term "officer" in the final-form rulemaking with the term "police officer."

§ 42.21 (relating to identification and uniform requirements)

IRRC commented on the requirement in subsection (a) that police officers without identification should not attempt to stop traffic law violators absent an immediate threat to public safety. At IRRC's suggestion, this requirement has been changed to provide that officers without identification may not attempt to stop traffic law violators unless there is immediate threat to public safety. Likewise, IRRC commented on the requirement in subsection (b) that markings on alternative attire should be visible from the front and back. IRRC recommended replacing the word "should" with the word "shall." Although the State Police believes markings should be visible from the front and back, this may not always be practical. Consequently, the provision has been eliminated from the final-form rulemaking.

§ 42.22 (relating to vehicle stops and pursuits)

IRRC pointed out that subsection (b) inaccurately cited 67 Pa. Code Chapter 173 (relating to flashing or evolving lights on emergency and authorized vehicles) as containing the requirements related to audible and visual signals. The reference to 67 Pa. Code Chapter 173 has been replaced with a reference to 75 Pa.C.S. § 4571 (relating to visual and audible signals and emergency vehicles).

Fiscal Impact

This final-form rulemaking will have a minimal fiscal impact.

Paperwork Requirements

This final-form rulemaking will not require the completion of additional forms, reports or other paperwork.

Regulatory Review

On February 4, 2004, copies of this final-form rulemaking were delivered to IRRC and the Majority and Minority Chairpersons of the House Judiciary Committee and the Senate Law and Justice Committee. Notice of proposed rulemaking was published at 34 Pa.B. 853 (February 14, 2004) and provided for a 30-day public comment period. In compliance with section 5(c) of the Regulatory Review Act (71 P.S. § 745.5(c)), the State Police provided IRRC and the Committees with copies of all comments received during the public comment period, as well as other documents if requested. In preparing the final-form rulemaking, the State Police has considered all comments received 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)), this final-form rulemaking was

deemed approved by the Senate Committee on Law and Justice. The House Judiciary Committee disapproved the rulemaking on October 19, 2004. Under section 5.1(e) of the Regulatory Review Act, IRRC approved the final-form rulemaking on November 4, 2004. Under section 5.1(j.2) of the Regulatory Review Act, on November 4, 2004, IRRC notified the House Judiciary Committee that it had approved the final-form rulemaking. More than 14 days have passed since the House Judiciary Committee received notice of IRRC's approval order, and the Committee has not taken further action on the final-form rulemaking. Accordingly, under section 5.1(j.2) of the Regulatory Review Act, the State Police are entitled to promulgate this final-form rulemaking.

Contact Person

The contact person is Syndi L. Guido, Policy Director, State Police, 1800 Elmerton Avenue, Harrisburg, PA 17110, (717) 772-0905. Individuals with a disability and require an alternative format of this document (that is, large print, audio tape, Braille), should contact Syndi Guido so that she may make the necessary arrangements.

Findings

The State Police finds that:

(1) Public notice of intention to adopt this final-form rulemaking 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 promulgated thereunder, 1 Pa. Code § 7.1 and 7.2.2003.

(2) A public comment period was provided as required by law and all comments were considered and forwarded to IRRC, the Senate Committee on Law and Justice and the House Judiciary Committee.

(3) The adoption of this final-form rulemaking in the manner provided in this order is necessary and appropriate for administration and enforcement of the authorizing statute.

Order

The State Police, acting under the authorizing statutes, orders that:

(a) The regulations of the State Police, 37 Pa. Code, are amended by adding §§ 42.1—42.3, 42.21 and 42.22 to read as set forth in Annex A.

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

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

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

COLONEL JEFFREY B. MILLER,
Commissioner

(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 34 Pa. B. 6292 (November 20, 2004).)

Fiscal Note: Fiscal Note 17-65 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 37. LAW

PART I. STATE POLICE

CHAPTER 42. USE OF UNMARKED VEHICLES

GENERAL PROVISIONS

| | |
|-------|--------------------|
| Sec. | |
| 42.1. | Purpose. |
| 42.2. | Policy and effect. |
| 42.3. | Definitions. |

PROCEDURES

| | |
|--------|--|
| 42.21. | Identification and uniform requirements. |
| 42.22. | Vehicle stops and pursuits. |

GENERAL PROVISIONS

§ 42.1. Purpose.

This chapter governs the use of unmarked vehicles. It is necessary to establish uniformity in the use of unmarked vehicles by police officers.

§ 42.2. Policy and effect.

The policy of the Commonwealth is to permit the use of unmarked vehicles by police officers. Failure to comply with this chapter does not affect the legality of any arrest or citation, nor will it be grounds for the suppression of evidence except as provided by statutory or constitutional law.

§ 42.3. Definitions.

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

Light bar assembly—A device designed and constructed to display more than one steady burning, flashing or revolving beam of light with 360° visibility.

Marked police vehicle—A police vehicle that is equipped with at least one light-bar assembly and displays graphics, markings or decals identifying the agency or department on a minimum of three sides (front, rear, left or right).

Official identification—Identification issued, designated or approved by the individual law enforcement agency or municipality.

Official uniform—Any attire designated or approved by the individual law enforcement agency or municipality.

Unmarked police vehicle—A police vehicle not equipped with a roof mounted light-bar assembly. The vehicle may display graphics, markings or decals, identifying the agency or department.

PROCEDURES

§ 42.21. Identification and uniform requirements.

(a) *Identification.* Police officers using an unmarked police vehicle shall ensure they are carrying official identification, other than their uniform, to verify their identity, unless it would jeopardize the police officers' safety due to their work assignment. Police officers shall be prepared to display their official identification upon request. Police officers shall honor these requests when the request is reasonable and the police officer's safety has been ensured. If the police officer does not carry official identification, the police officer may not attempt to stop traffic law violators, unless there is immediate threat to public safety.

(b) *Uniforms.* Police officers assigned to use an unmarked police vehicle to perform patrol duties shall be

attired in an official uniform. Police officers assigned other duties that are likely to include or require traffic stops shall wear an official uniform or alternative attire, such as a police raid jacket, that bears the name of a specific law enforcement agency or task force.

§ 42.22. Vehicle stops and pursuits

(a) *Stopping suspected violators while operating an unmarked police vehicle.* Police officers stopping suspected violators shall attempt to ascertain the safest available location for the police officer and the motorist, consistent with the need for prompt action. Police officers shall take into consideration the road and weather conditions, terrain, lighting, traffic and the nature of the violation. The police officer shall also attempt to choose a location that will afford both the driver and the police officer a sense of safety.

(b) *Use of audible and visual signals required while operating an unmarked police vehicle.* Audible and visual signals meeting the requirements of 75 Pa.C.S. § 4571 (relating to visual and audible signals on emergency vehicles) shall be utilized when police officers stop suspected violators.

(c) *Unmarked police vehicle pursuits.* Police officers engaged in a pursuit using an unmarked police vehicle, shall relinquish their role as the primary pursuit vehicle and permit police officers in marked police vehicles to assume the role of the primary pursuit vehicle when that assistance is available.

[Pa.B. Doc. No. 05-55. Filed for public inspection January 7, 2005, 9:00 a.m.]

Title 61—REVENUE

DEPARTMENT OF REVENUE

[61 PA. CODE CH. 32]

Corrective Amendment to 61 Pa. Code § 32.34(a)(3)(iii)(G)

The Department of Revenue has discovered a discrepancy between the agency text of 61 Pa. Code § 32.34(a)(3)(iii)(G) (relating to public utilities) originally the *Pennsylvania Code Reporter* (MTS 109) (December 1983) and the official text of 61 Pa. Code § 32.34(a)(3)(iii)(G) codified in the December 1990 *Pennsylvania Code Reporter* (Master Transmittal Sheet No. 193), and as currently appearing in the *Pennsylvania Code*. The word "not" was inadvertently deleted from the last sentence of subsection (a)(3)(iii)(G).

Therefore, under 45 Pa.C.S. § 901: The Department of Revenue has deposited with the Legislative Reference Bureau a corrective amendment to 61 Pa. Code § 32.34(a)(3)(iii)(G). The corrective amendment to 61 Pa. Code § 32.34(a)(3)(iii)(G) is effective as of December 1, 1990, the date the defective official text was announced in the *Pennsylvania Bulletin*.

The correct version of 61 Pa. Code § 32.34(a)(3)(iii)(G) appears in Annex A, with ellipses referring to the existing text of the regulation.

Annex A
TITLE 61. REVENUE
PART I. DEPARTMENT OF REVENUE
Subpart B. GENERAL FUND REVENUES
ARTICLE II. SALES AND USE TAX
CHAPTER 32. EXEMPTIONS
BUSINESS EXEMPTIONS

§ 32.34. Public utilities.

(a) *Equipment, machinery, parts and foundations therefor, and supplies used directly in rendering public utility service.* The purchase or use by a public utility of tangible personal property or services performed thereon to be predominantly used directly by it in producing, delivering or rendering of a public utility service or constructing, reconstructing, remodeling, repairing or maintaining facilities directly used in the service is exempt from tax, whether or not the facilities constitute real estate. However, for purposes of this exemption, real estate does not include buildings, roads or similar facilities. Effective March 4, 1971, foundations for exempt machinery or equipment became subject to tax and remained taxable until February 9, 1981. Effective February 7, 1981, foundations used to support equipment, machinery and parts used directly in rendering a public utility service are exempt from tax. The term "foundations" includes sand, gravel, crushed rock, concrete or similar material used as bedding or surrounding pipe used directly in rendering a public utility sanitary sewer or water service. Purchases of any vehicles required to be registered under 75 Pa.C.S. §§ 101—9909 (relating to Vehicle Code), ex-

cept those vehicles used directly by a public utility engaged in business as a common carrier as well as supplies and repair parts for the vehicles, is subject to tax.

* * * * *

(3) *Property not directly used.* Property in the following categories is not directly used in public utility operations and the purchase or use of the property is subject to tax:

* * * * *

(iii) *Managerial, sales or other nonoperational activities.* Property used in managerial, sales or other nonoperational activities is not directly used in the production, delivery or rendition of a public utility service and is therefore subject to tax. This category includes, but is not limited to, property used in any of the following activities:

* * * * *

(G) *Activities prior to production, delivery or rendition of services.* Property used to transport personnel or to collect, convey or transport other property, and storage facilities or devices used to store or hold property prior to its use in the production, delivery or rendition of a public utility service is subject to tax. Property used to transport, store or hold the actual product which is delivered as a public utility service is directly used and therefore is not subject to tax.

* * * * *

[Pa.B. Doc. No. 05-56. Filed for public inspection January 7, 2005, 9:00 a.m.]

PROPOSED RULEMAKING

STATE REGISTRATION BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS AND GEOLOGISTS

[49 PA. CODE CH. 37]

Biennial Renewal Fees and Examination Fees

The State Registration Board for Professional Engineers, Land Surveyors and Geologists (Board) proposes to amend § 37.17 (relating to fees) to read as set forth in Annex A.

Description of Proposed Rulemaking

Section 37.17 sets forth a schedule of fees charged by the Board. The proposed rulemaking would raise the biennial renewal fees for professional engineers, professional land surveyors and professional geologists from \$25 to \$50; delete the examination fees for all three license classes; and make minor editorial changes.

Background and Need for Proposed Rulemaking

a. New Biennial Renewal Fees

Section 9 of the Engineer, Land Surveyor and Geologist Registration Law (Registration Law) (63 P. S. § 156)

| <i>Financial Status</i> | <i>FY02-03</i> | <i>FY03-04</i> | <i>FY04-05</i> | <i>FY05-06</i> | <i>FY06-07</i> |
|----------------------------------|----------------|----------------|----------------|----------------|----------------|
| Beginning Balance: | \$239,400.75 | (\$482,638.94) | (\$109,531.91) | (\$270,639.68) | \$30,360.32 |
| Revenue: | \$161,960.31 | \$1,199,107.03 | \$145,000.00 | \$1,105,000.00 | \$145,000.00 |
| Prior Yr. Returned Funds: | 0 | 0 | \$474,892.23 | 0 | 0 |
| Total Revenue: | \$401,361.06 | \$716,468.09 | \$510,360.32 | \$834,360.32 | \$175,360.32 |
| Adjust. For Prior Year Expenses: | 0 | 0 | 0 | 0 | 0 |
| Expenses: | \$884,000.00 | \$826,000.00 | \$781,000.00 | \$804,000.00 | \$828,000.00 |
| Remaining Balance: | (\$482,638.94) | (\$109,531.91) | (\$270,639.68) | \$30,362.32 | (\$652,639.68) |

To close the gap between the Board's revenues and expenses, the BFO recommended that the Board increase the biennial renewal fees for all three licensure classes from \$25 to \$50, effective with the biennial renewal period that begins October 1, 2005. The higher biennial renewal fees would raise biennial renewal revenues from the current to \$960,125.00 to \$1,920,250. The BFO estimates that these additional biennial revenues would enable the Board to have positive balances for the foreseeable future, including approximately \$815,861.32 at the end of FY08-09.

b. Deletion of Examination Fees

The examinations for certification as an engineer-in-training and surveyor-in-training and for licensure as a

professional engineer, professional land surveyor and professional geologist are developed, administered and graded by independent testing organizations under contract with the Commonwealth. The Board has no role in establishing examination fees. Examination fees are established by contract between the independent testing organizations and the Commonwealth and are remitted by examination candidates directly to those organizations. The Board proposes to discontinue the practice of periodically amending its regulations to publish updated schedules of examination fees. Accordingly, the proposed rulemaking would delete all references to examination fees. The Board would continue to provide current examination fee information to examination candidates on its website.

provides that the Board's biennial revenues from fees, fines and civil penalties shall meet or exceed the Board's biennial expenditures. Because fines and civil penalties have historically accounted for a small percentage of the Board's total revenues, the Board must generate most of its revenues from fees.

The Board's principal sources of fee revenues are the fees charged to licensees for biennial renewal of their registrations. The biennial renewal fees account for approximately 77% of the Board's fee revenues during each biennial renewal period. The biennial renewal fees defray general operating expenses and overhead —primarily in the areas of investigation, prosecution and enforcement—that are not susceptible of being apportioned to a specific segment of persons and entities regulated by the Board and, therefore, are borne equally by the entire regulated community.

The current \$25 biennial renewal fees for professional engineers and professional land surveyors were established in 1978 by section 101 of the Bureau of Professional and Occupational Affairs Fee Act (63 P. S. § 1401-101). The current \$25 biennial renewal fee for professional geologists was adopted in 1994.

A recent analysis prepared by the Department of State's Bureau of Finance and Operations (BFO) determined that the Board's current biennial renewal fee structure is inadequate to meet the Board's revenue needs. As reflected by the following revenue and expense data and projections provided by the BFO, the Board will continue to run large deficits unless the biennial renewal fees are increased:

professional engineer, professional land surveyor and professional geologist are developed, administered and graded by independent testing organizations under contract with the Commonwealth. The Board has no role in establishing examination fees. Examination fees are established by contract between the independent testing organizations and the Commonwealth and are remitted by examination candidates directly to those organizations. The Board proposes to discontinue the practice of periodically amending its regulations to publish updated schedules of examination fees. Accordingly, the proposed rulemaking would delete all references to examination fees. The Board would continue to provide current examination fee information to examination candidates on its website.

c. *Editorial Changes*

The proposed rulemaking would make minor editorial changes to descriptions of the fees for consistency of usage in the fee schedule.

Fiscal Impact

The proposed rulemaking would generate approximately \$960,125 in additional biennial renewal fee revenues, broken down as follows:

| <i>Certification Class</i> | <i>No. of Renewing Licensees</i> | <i>Fee Increase</i> | <i>Additional Revenues</i> |
|----------------------------|----------------------------------|---------------------|----------------------------|
| Professional Engineer | 32,355 × | \$25 | \$808,875 |
| Professional Land Surveyor | 3,413 × | \$25 | \$85,325 |
| Professional Geologist | 2,637 × | \$25 | \$65,925 |

Paperwork Requirements

The proposed rulemaking would require the Board to change its biennial renewal form to reflect the new fees. The proposed rulemaking would not create additional paperwork requirements for the regulated community.

Effective Date

The proposed rulemaking would become effective upon publication of the final-form rulemaking in the *Pennsylvania Bulletin*. The new biennial renewal fees would apply to licensees who renew their registrations for the biennial renewal period beginning October 1, 2005.

Statutory Authority

Section 9 of the Registration Law requires the Board to establish fees by regulation and to ensure that revenues derived from fees, fines and civil penalties are adequate to cover the Board's expenditures over a biennial period. Section 4(e) of the Registration Law (63 P. S. § 151(e)) contemplates that the Board may assess biennial renewal fees by regulation.

The Board considers the proposed rulemaking to be both required by law and the least restrictive means of covering the cost of activities that the Board is required to perform.

Regulatory Review

On December 22, 2004, under authority of section 5(a) and (f) of the Regulatory Review Act (71 P. S. § 745.5(a) and (f)), the Board submitted copies of this proposed rulemaking, a Regulatory Analysis Form and a Fee Report Form to the Independent Regulatory Review Commission (IRRC). Copies of the Regulatory Analysis and Fee Report Forms are available to the public upon request.

In accordance with section 5(a) and (f) of the Regulatory Review Act, the Board will deliver copies of this proposed rulemaking and the Regulatory Analysis and Fee Report Forms to the Chairpersons of the Senate Standing Committee on Consumer Protection and Professional Licensure and the House Standing Committee on Professional Licensure by the second Monday after the date on which committee designations for the 2005-2006 session of the General Assembly are published in the *Pennsylvania Bulletin*.

Under section 5(g) of the Regulatory Review Act, IRRC may convey comments, recommendations or objections to the proposed rulemaking within 30 days after the close of

the public comment period, specifying the regulatory review criteria that have not been met. The Regulatory Review Act sets forth procedures that permit the Board, the General Assembly and the Governor to review IRRC's comments, recommendations or objections prior to final adoption of the proposed rulemaking.

Public Comment

The Board invites interested persons to submit written comments, suggestions or objections regarding the proposed rulemaking to Steven Wennberg, Counsel, State Registration Board for Professional Engineers, Land Surveyors and Geologists, P. O. Box 2649, Harrisburg, PA 17105-2649 within 30 days following publication of this notice of proposed rulemaking in the *Pennsylvania Bulletin*.

GEORGE ROMAN, P. E., P.L.S.,
President

Fiscal Note: 16A-478. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

**PART I. DEPARTMENT OF STATE
SUBPART A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS**

CHAPTER 37. STATE REGISTRATION BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS AND GEOLOGISTS

QUALIFICATIONS FOR LICENSURE

§ 37.17. Schedule of fees.

(a) *Professional engineers and professional land surveyors.* The Board will charge the following fees:

| | |
|--|---------------|
| [Examination for licensure as a professional engineer..... | \$105 |
| October 1998 examination and thereafter ... | \$120 |
| Professional Engineer Exam Review (Optional)..... | \$75 |
| Examination for licensure as a professional land surveyor..... | \$187 |
| October 1998—April 1999 examination..... | \$227 |
| October 1999 examination and thereafter ... | \$252 |
| Pennsylvania Fundamentals of Land Surveying Portion..... | \$42 |
| N.C.E.E.S. Fundamentals of Land Surveying Portion..... | \$40 |
| October 1998 examination and thereafter ... | \$65 |
| N.C.E.E.S. Principles and Practices of Land Surveying..... | \$60 |
| October 1998—April 1999 examination..... | \$75 |
| October 1999 examination and thereafter ... | \$100 |
| Administration (to be added to total parts taken at one sitting)..... | \$45 |
| Examination for certification as engineer-in-training..... | \$75] |
| Biennial renewal of registration..... | \$50 |

(b) *Professional geologists.* The Board will charge the following fees:

* * * * *

Biennial renewal [fee] of registration ... [\$25] \$50

PROPOSED RULEMAKING

| | |
|---|---------------|
| Temporary permit [fee] | \$25 |
| [Fundamentals of Geology Examination | \$150 |
| Principles/Practices of Geology Examina- | |
| tion | \$150 |
| Examination Access Fee (to be added to each | |
| examination taken) | \$25 |
| Administration (to be added to total parts taken | |
| at one sitting)..... | \$45] |

* * * * *

[Pa.B. Doc. No. 05-57. Filed for public inspection January 7, 2005, 9:00 a.m.]

NOTICES

DELAWARE RIVER BASIN COMMISSION

Meeting and Public Hearing

The Delaware River Basin Commission (Commission) will hold an informal conference followed by a public hearing on Wednesday, January 19, 2005. The hearing will be part of the Commission's regular business meeting. Both the conference session and business meeting are open to the public and will be held at the Commission's offices, 25 State Police Drive, West Trenton, NJ.

The conference among the Commissioners and staff will begin at 9:30 a.m. Topics of discussion will include: response to the Athos I oil spill; staff recommendations on a proposal to amend the *Water Quality Regulations, Water Code* and *Comprehensive Plan* to classify the Lower Delaware River as Special Protection Waters; progress report on Stage 2 TMDLs for PCBs in the Delaware Estuary; report on the Delaware Estuary Science Conference of January 10–12, 2005; report on the Flow Management Technical Advisory Committee Work Group Meetings of November 9–10 and December 3, 2004, and January 6 and 18, 2005; and a proposed resolution to adopt the Commission's annual budget for the fiscal year ending June 30, 2005, and to apportion among the signatory parties the amounts required for support of the Commission's annual and operating budgets.

The subjects of the public hearing to be held during the 1 p.m. business meeting include the dockets listed as follows:

1. *Knoll, Inc. D-74-162-2*. An application to modify a wastewater treatment plant discharge for the Knoll Furniture Manufacturing Facility located off Water Street, approximately 1,000 feet northeast of its intersection with Peevy Road in Upper Hanover Township, Montgomery County, PA. No new treatment facilities are proposed. A junction box at the sewage treatment plant will be repaired, and the facility will be rerouted to include an additional 3,000 gallons of wastewater flow. Although the current docket provides for a flow of 0.07 million gallons per day (mgd), the wastewater treatment plant provides advanced treatment of a total flow of 0.073 mgd from sanitary, process and cooling water sources prior to discharge to Perkiomen Creek in the Schuylkill River Watershed.

2. *Alcoa Extrusions, Inc. D-82-5-3*. An application for the renewal of a groundwater withdrawal project to reduce withdrawal from 21.6 million gallons per 30 days (mg/30 days) to 11.0 mg/30 days to supply the applicant's manufacturing facility from existing Wells Nos. 1 and 2 in the West Branch Schuylkill River Watershed. The project is located in Cressona Borough, Schuylkill County, PA.

3. *Occidental Chemical Corporation D-83-9-2*. An application to amend the current docket, which provides for a discharge from the 0.3 mgd (design) industrial waste treatment plant (IWTP) to contain and treat mercury contaminated groundwater at the applicant's Delaware City chemical manufacturing plant located off State Route 9 in New Castle County, DE. Barrier walls have been constructed around the perimeter of the Process Area and Waste Lake 1. Contaminated groundwater from within these containments will be pumped at a maximum

rate of 30 gallons per minute (43,200 gallons per day) for treatment at an activated carbon treatment system before being discharged to the existing IWTP for mercury removal. The IWTP discharge is to the Delaware River in Water Quality Zone 5.

4. *County of Chester D-83-15 CP-2*. An application to upgrade the applicant's existing 0.105 mgd sewage treatment plant (STP) from a secondary treatment facility to tertiary treatment with no increase in treatment capacity. The STP will continue to serve only the Pocopson Home and Prison. The STP is located approximately 1/2 mile north of the intersection of Route 52 and Wawaset Road in Pocopson Township, Chester County, PA in the Pocopson Creek Watershed. The existing effluent spray field irrigation system will also be upgraded and no effluent discharge to surface water is proposed. (This docket was NAR'd as D-2004-7 CP.)

5. *Waste Management Disposal Services of Pennsylvania, Inc. D-88-54-2*. An application to modify a landfill leachate treatment plant discharge to the tidal Delaware River by means of a constructed discharge cove in Water Quality Zone 2. The treatment plant serves the Tullytown and GROWS Landfills and is located off Bordentown Road in Falls Township, Bucks County, PA. The existing 0.1 mgd leachate treatment plant utilizes the Best Available Treatment Technology but cannot consistently meet effluent total dissolved solids and color limits. The docket holder has requested modification of its docket to allow an increase in the average discharge concentration of Total Dissolved Solids to 10,000 mg/l from the current 6,560 mg/l and an increase in the maximum effluent limit for True Color to 1,500 units from the current 750 units on a platinum-cobalt scale. In support of its requested modifications, the docket holder has completed an environmental study that indicates the changes would result in no significant impact to the Delaware Estuary. No increase in treatment plant capacity is proposed. The docket holder also proposes to construct two effluent storage tanks at the GROWS leachate treatment plant to replace an existing tank and seeks approval to haul nonhazardous leachate to a proposed transfer station that will reroute flow to the Morrisville Borough STP, just upstream on the tidal Delaware River within Water Quality Zone 2.

6. *Blue Ridge Real Estate Company D-91-46-2*. An application for the renewal of a surface water withdrawal project to continue withdrawal of 12 mg/30 days to supply the applicant's proposed golf course at the Jack Frost Ski Area from an existing intake in the Tobyhanna Creek. The project is located in Kidder Township, Carbon County, PA.

7. *Borough of Sellersville D-92-84 CP RENEWAL*. An application for the renewal of a groundwater withdrawal project to continue withdrawal of 20.54 mg/30 days to supply the applicant's distribution system from existing Wells Nos. 1 and 4–6 in the Tohickon Creek and East Branch Perkiomen Creek Watersheds. The project is located in West Rockhill Township and the Borough of Sellersville, Bucks County, PA and is located in the Southeastern Pennsylvania Groundwater Protected Area.

8. *The Premcor Refining Group, Inc. D-93-4-3*. An application to replace the withdrawal of water from Well No. P-9 in the applicant's water supply system, which has become an unreliable source of supply. The applicant requests withdrawal from replacement Well No. P-9A. No

change in the total withdrawal from all wells—currently 180 mg/30 days—is proposed. The project is located in the C & D Canal East, Dragon Run and Red Lion Creek Watersheds in Delaware City, New Castle County, DE.

9. *AMETEK U.S. Gauge Division D-93-25(G)-2*. An application for the renewal of a groundwater withdrawal project to continue withdrawal of 3.88 mg/30 days to supply the applicant's industrial facility and groundwater remediation project from existing Wells Nos. RW-1 and MW-6S and new Well No. MW-10S in the East Branch Perkiomen Creek Watershed. The project is located in Sellersville Borough, Bucks County, PA within the Southeastern Pennsylvania Groundwater Protected Area.

10. *United Water Delaware D-96-50 CP-2*. An application for the renewal of a surface water withdrawal project to continue withdrawal of 30 mgd to provide supply to the applicant's public water distribution system, originally docketed under D-91-72 CP, and for a proposed revision to the operating plan of the tidal capture structure (TCS) originally docketed under D-96-50 CP. The applicant requests removal of the Q_{7-10} passby requirement when the natural stream flow is less than 17.2 mgd or chlorides immediately at the outlet of the TCS bypass structure downstream of the TCS are greater than 250 ppm. Surface water is withdrawn from the confluence of the White Clay Creek and Red Clay Creek at the Stanton Intake, and/or from the tidal backflow from the Christina River created by the TCS, by means of an intake at the TCS. The modification of the TCS operating plan is designed to increase water supply reliability during low flow conditions, attenuate brackish water impacts and maintain essential physical habitat at the tidal/freshwater interface controlled by the TCS. The TCS operating plan revision includes incremental passby flow targets in conjunction with salinity monitoring to protect the applicant's water supply and preserve depth of water downstream of the TCS for aquatic habitat protection. The project is located in New Castle County, DE.

11. *Plumstead Township D-97-33 CP-2*. An application for approval of a groundwater withdrawal project to renew the allocation included in Docket D-94-43 P.A. and consolidate all other docket approvals for Plumstead Township, retaining the existing withdrawal from all wells of 15.31 mg/30 days. Docket D-97-33 CP-2 consolidates allocations approved under D-92-76 P.A., D-94-43 P.A., D-95-18 CP and D-97-33 CP. The project is located in the North Branch Neshaminy Creek, Geddes Run, Cabin Run and Pine Run Watersheds in Plumstead Township, Bucks County, PA, within the Southeastern Groundwater Protected Area.

12. *Green-Waltz Water Company, Inc., Nestlé Waters North America Inc., D-98-55-2*. An application for approval of a groundwater withdrawal project to supply up to 11.7 mg/30 days of water for bulk water supply to the applicant's bottling plant from replacement Well B-1, screened in the unconsolidated deposits overlying the Martinsburg Formation. Well B-1 will replace Well 1 (also known as W-1). Green-Waltz Water Company, Inc. sold to Nestlé Waters North America Inc. (NWN) its interests in waters from the spring sources located on the subject property, but remains a co-owner of the site and facilities. The NWN has assumed the role of operator of the facilities, and as such, has responsibility for the operation and maintenance of the withdrawal from Well B-1. The applicant has not requested a change in the existing allocation of 11.7 mg/30 days. The project is located in the Waltz Creek Watershed in Washington Township, Northampton County, PA.

13. *Pennsylvania American Water Company D-99-30 CP 2*. An application for approval of a groundwater withdrawal project to supply up to 5.83 mg/30 days of water to the applicant's Glen Alsace public water supply distribution system from replacement Well GL-2A in the Brunswick Formation, and to retain the existing withdrawal from all wells at 50 mg/30 days. Proposed replacement Well No. GL-2A will replace former Well No. GL-2 and is planned to be used as a regular source to the Glen Alsace distribution system. The project also includes two existing interconnections from the Reading Area Water Authority (45 mg/30 days) and the Mount Penn Water Authority (6 mg/30 days). The project is located in the Antietam Creek Watershed in Exeter Township, Berks County, PA.

14. *Lower Perkiomen Valley Regional Sewer Authority D-2001-42 CP-2*. An application to expand the Oaks STP from 9.5 mgd to 14.25 mgd. The plant will continue to provide advanced secondary treatment by means of an anoxic/oxic biological process. The Oaks STP is located at the confluence of Perkiomen Creek and the Schuylkill River in Upper Providence Township, Montgomery County, PA. The project will continue to serve portions of Upper Providence, Perkiomen and Skippack Townships, plus Collegeville and Trappe Boroughs, all in Montgomery County, PA. STP effluent will continue to be discharged to the Schuylkill River through the existing outfall. (This docket was NAR'd as D-2004-20 CP.)

15. *Little Washington Wastewater Company D-2001-54-2*. An application to expand a 0.12 mgd STP to process 0.155 mgd on a maximum monthly basis, while maintaining tertiary level of treatment. The plant is located just south of Little Washington-Lyndell Road in East Brandywine Township, Chester County, PA. Currently, up to 53,100 gpd of STP effluent is discharged to Culbertson Run in the Brandywine Creek Watershed and up to 66,133 gpd to effluent disposal beds that recharge the groundwater table. The additional effluent from the proposed expansion will be routed back to the proposed Hideaway Farm subdivision for application to new disposal beds. The proposed expansion will enable the applicant to serve additional residential development in East Brandywine Township.

16. *Pennsylvania-American Water Company D-2003-6 CP-1*. An application for approval of a groundwater withdrawal project to supply up to 5.616 mg/30 days of water to the applicant's Country Club of the Poconos at Big Ridge distribution system from new Wells Nos. 3 and 5 in the Mahatango Formation, and to increase the existing withdrawal from all wells to 9.316 mg/30 days. The project is located in the Pond Creek Watershed in Middle Smithfield Township, Monroe County, PA in the drainage area of the Special Protection Waters. (This docket was NAR'd as D-2003-6 CP.)

17. *Air Products and Chemicals, Inc. D-2004-27-1*. An application for an existing industrial wastewater treatment plant to process up to 0.135 mgd and to continue to discharge to the Lehigh River through an existing outfall. No modification of the existing plant or increase in flow is proposed. The applicant is a manufacturing facility located in the Borough of Glendon, Northampton County, PA, in the area covered by the Lower Delaware River Management Plan.

18. *The Glass Group, Inc. D-2004-29-1*. An application for approval of a groundwater withdrawal project to supply up to 30 mg/30 days of water to the applicant's manufacturing facility from Wells Nos. 13–16 in the

Cohansey Formation. The project is located in the Maurice River Watershed in the City of Millville, Cumberland County, NJ.

19. *Warren Investments, LLC D-2004-31-1*. An application for approval of a groundwater withdrawal project to supply up to 6.91 mg/30 days of water for supplemental irrigation of the applicant's proposed Shetland Crossing Golf Club from new Wells WIA, WIB, WIC and WID, all in the Locketong Formation. In conjunction with the groundwater withdrawal, the golf course will utilize supplemental irrigation from stormwater collected in four onsite storage ponds. The project is located in the Wickecheoke Creek Watershed in Franklin Township, Hunterdon County, NJ.

20. *Bear Creek Management Company, LLC D-2004-35-1*. An application for approval of a groundwater and surface water withdrawal project to supply up to 11 mg/30 days of water to the applicant's ski resort from new Wells Nos. 1—6 and up to 36 mg/30 days of water to the applicant's snowmaking operations from four ponds and one detention basin and to limit the withdrawal from all sources to 36.6 mg/30 days. The project is located in the Swabia Creek Watershed in Longswamp Township, Berks County, PA.

21. *Borough of Portland D-2003-9 CP*. An application to construct a 0.105 mgd wastewater treatment plant to provide tertiary treatment of flow from the proposed Portland Industrial Park and from local onlot septic systems located in Portland Borough, Northampton County, PA. The plant will be constructed in the southeast corner of Portland Borough and the project outfall will discharge to the Delaware River. This location is in DRBC Water Quality Zone 1D and in the drainage area of the Lower Delaware Management Plan.

In addition to the public hearing on the dockets listed previously, the Commission's 1 p.m. business meeting will include a public hearing and possible action on a resolution to amend Resolution No. 2002-33 relating to the operation of Lake Wallenpaupack during drought watch, drought warning and drought operations; a resolution to amend the Commission's administrative procedure and

fee schedule for renewal of project approvals under Section 3.8 and Article 10 of the *Delaware River Basin Compact*; a resolution to amend the *Water Quality Regulations, Water Code and Comprehensive Plan* to designate the Lower Delaware River as Special Protection Waters; a resolution authorizing the Executive Director to extend the Commission's contract with Axys Analytical Laboratories, Inc. for analytical services in connection with the control of toxic substances in the Delaware Estuary; a resolution authorizing the Executive Director to engage a contractor to assist the Commission staff with tasks to be completed under Pennsylvania Act 220; and a resolution to adopt the Commission's annual budget for the fiscal year ending June 30, 2005, and to apportion among the signatory parties the amounts required for support of the Commission's annual and operating budgets.

In addition, the meeting will include: adoption of the Minutes of the October 27, 2004, business meeting; announcements; a report on Basin hydrologic conditions; a report by the Executive Director; a report by the Commission's General Counsel; and an opportunity for public dialogue. Draft dockets and the resolutions scheduled for public hearing on January 19, 2005, will be posted on the Commission's website, www.drbc.net, where they can be accessed through Next DRBC Meeting. Additional documents relating to the dockets and other items may be examined at the Commission's offices. Contact William Muszynski at (609) 883-9500, Ext. 221 with any docket-related questions.

Individuals in need of an accommodation as provided for in the Americans With Disabilities Act who wish to attend the informational meeting, conference session or hearings should contact the Commission Secretary directly at (609) 883-9500, Ext. 203 or through the Telecommunications Relay Services (TRS) at 711 to discuss how the Commission may accommodate their needs.

PAMELA M. BUSH,
Secretary

[Pa.B. Doc. No. 05-58. Filed for public inspection January 7, 2005, 9:00 a.m.]

DEPARTMENT OF BANKING

Action on Applications

The Department of Banking, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and 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 December 28, 2004.

BANKING INSTITUTIONS

Branch Applications

| <i>Date</i> | <i>Name of Bank</i> | <i>Location</i> | <i>Action</i> |
|-------------|---|--|---------------|
| 9-20-04 | Bank of Hanover and Trust Company Hanover York County | 2300 South Queen Street York York County | Opened |
| 12-21-04 | Greater Delaware Valley Savings Bank d/b/a/ Alliance Bank Broomall Delaware County | 82 East Lancaster Avenue Paoli Tredyffrin Township Chester County | Approved |

NOTICES

Branch Relocations

| <i>Date</i> | <i>Name of Bank</i> | <i>Location</i> | <i>Action</i> |
|-------------|--|---|---------------|
| 12-21-04 | Citizens Bank of Pennsylvania Philadelphia Philadelphia County | <i>To:</i> 1188 Mae Street Hershey Dauphin County <i>From:</i> 1201 Governor Road Hershey Dauphin County | Approved |

Articles of Amendment

| <i>Date</i> | <i>Name of Bank</i> | <i>Purpose</i> | <i>Action</i> |
|-------------|---|---|------------------------|
| 12-23-04 | The Philadelphia Trust Company Philadelphia Philadelphia County | To provide for the amendment to Article 2 of the Articles of Incorporation to provide for the change in location of the principal place of business <i>from:</i> 1735 Market Street, 27th Floor; <i>to:</i> 1760 Market Street, 2nd Floor, both addresses in Philadelphia, Philadelphia County. | Approved and Effective |

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS**Consolidations, Mergers and Absorptions**

| <i>Date</i> | <i>Name of Credit Union</i> | <i>Location</i> | <i>Action</i> |
|-------------|--|-----------------|---------------|
| 12-22-04 | Steel Seven Credit Union, Harrisburg, and Pennsylvania Central Federal Credit Union, Harrisburg Surviving Institution— Pennsylvania Central Federal Credit Union, Harrisburg | Harrisburg | Filed |

Branch Applications

| <i>Date</i> | <i>Name of Credit Union</i> | <i>Location</i> | <i>Action</i> |
|-------------|---|---|---------------|
| 12-20-04 | TruMark Financial Credit Union Trevose Bucks County | 1141 Baltimore Pike Springfield Delaware County | Filed |

A. WILLIAM SCHENCK, III,
Secretary

[Pa.B. Doc. No. 05-59. Filed for public inspection January 7, 2005, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Federal Even Start Grants

The Federal Even Start Family Literacy Program, renamed the "William F. Goodling Even Start Family Literacy Programs," is authorized by Title I, Part B, Subpart 3 of the Elementary and Secondary Education Act (ESEA), reauthorized as the No Child Left Behind Act of 2001 (NCLB Act). This program is administered by the Department of Education for family literacy programs that will:

1) Target families living in areas of high concentration of poverty who are receiving welfare benefits and who have educational needs.

2) Enable communities to foster cooperative partnerships that build on existing community resources to create a new range of services.

3) Provide services that are of sufficient intensity in terms of hours, and of sufficient duration, to make sustainable changes in a family, and that integrate all of the following:

a. Interactive literacy activities between parents and their children.

b. Training for parents regarding how to be the primary teacher for their children and full partners in the education of their children.

c. Parent literacy training that leads to economic self-sufficiency.

d. An age-appropriate education to prepare children for success in school and life experiences.

Eligibility

Organizations eligible to apply for an Even Start grant are a Local Educational Agency (LEA) or Community-based Organization (CBO). Eligible entities are required to establish a formal partnership between one or more LEAs and one or more CBOs. A private nonprofit entity,

including a faith-based organization, as part of a partnership may serve as the fiscal agent, since school-age children who are enrolled in private elementary and secondary schools are eligible for Even Start services under the equitable participation provisions of the NCLB Act. Under these circumstances, a public agency, particularly an LEA, is required to control and administer program funds used to provide equitable services to private school students.

Selection Process

Consideration will be given to applications that meet the following conditions:

- 1) Reflect the family focus of Even Start.
- 2) Locate new sites in areas designated by the Federal government as empowerment zones or enterprise communities.
- 3) Provide early childhood services for a 3-year age range.
- 4) Submit a total budget which contains a local match beyond the required Even Start statutory percentages.
- 5) Target services to families most in need (that is, educationally disadvantaged adults who are receiving public assistance; do not have high school diplomas; are members of minority groups; are single parents; are victims of domestic violence; have children with developmental delays; reside in a Title I school attendance area; and (if in primary grades) are receiving Title I services).
- 6) Coordinate with adult education and literacy programs; county assistance offices; social service agencies; public libraries; Team PA CareerLink One-Stop Centers; Workforce Investment Act programs; elementary schools; family centers; preschool programs such as Head Start; licensed child care centers; and other community groups or agencies that provide services and assistance to persons in need of basic literacy skills and/or support services.

Funding Priorities for Grant Applications

- 1) Renewal of grants to currently-funded Even Start Family Literacy Programs, providing sufficient progress is made toward meeting program objectives in relation to the Pennsylvania Family Literacy Program Performance Standards and the Pennsylvania Family Literacy Summer Reading Program policy. (Note: Even Start projects applying for their 4th or 8th year of operation should consult the Application Guidelines for special provisions pertaining to the duration of projects.)
- 2) New Even Start Family Literacy Programs by school districts or charter schools receiving Title I, Part A, ESEA funds in areas of counties not served by a current Even Start or State Act 143 Family Literacy grant.
- 3) New Even Start Family Literacy Programs by community-based organizations, in partnership with school districts and/or charter schools receiving Title I, Part A, ESEA funds in areas of counties not served by a current Even Start or State Act 143 Family Literacy grant.

Grant Period

The "Grant Period" (or duration of an Even Start grant) will be for a term of 4 years provided that sufficient progress is made towards meeting program objectives in

relation to the Pennsylvania Family Literacy Program Performance Standards and the Pennsylvania Family Literacy Summer Reading Program policy. The Commonwealth will not, however, issue a 4-year grant. Each year, or "Grant Year," grantees will be required to apply for continuation funding. At the end of the grant period, grantees will be authorized to reapply and compete with other applicants for another 4-year term. Upon the completion of eight years, special provisions apply to the continuation of program operations. Refer to the Application Guidelines for details.

Restrictions

1) The Federal program requires a local contribution/matching funds in addition to the requested grant amount. The total cost of the program is to be supported by grant funds and a "local share." The Even Start statute requires a graduated increase in the local share, which ranges from 10% (in the first year) to 65% depending upon the year of operation (see Application Guidelines for details).

2) Section 1234 of the Even Start statute prohibits a local program from using grant funds for indirect costs. This restriction includes the project's matching funds (local share).

Application Procedures

Even Start renewal and new applications must be completed online and submitted by means of the e-Grant website at www.egrants.ed.state.pa.us to the Bureau of Adult Basic and Literacy Education, Department of Education, on or before March 11, 2005.

Instructions and the Application Guidelines are available by means of ABLE site at www.able.state.pa.us and by means of the e-Grant website.

All potential applicants are urged to attend the annual proposal development workshop to learn the latest changes to program guidelines and new requirements for submitting e-Grant applications for adult education and family literacy programs funded through (1) the Federal Workforce Investment Act, Section 231; (2) State Act 143 of 1986—Adult and Family Literacy Education Act; and (3) the Federal Even Start Family Literacy Program. This workshop will be conducted by teleconference on January 24, 2005, 1 to 2:30 p.m. For the nearest downlink site and to ensure that space, materials and handouts are available, all attendees must register online using the PATTAN Distance Learning homepage at www.pattan.k12.pa.us. The registration deadline is January 14, 2005. Participants will not be required to register in e-Campus. Act 48 or professional development hours will not be credited for this activity. If unable to access the online registration information, interested parties may fax their registration request to Kristen Olszyk at (412) 826-6872. Individuals with special needs as addressed by the Americans With Disabilities Act and need assistance at the workshop should make their needs known when registering. Reasonable efforts will be made to accommodate those individuals. To ensure timely administration and processing of e-Grant applications, both the grant writer and the fiscal officer should attend the workshop.

FRANCIS V. BARNES, Ph.D.,
Secretary

[Pa.B. Doc. No. 05-60. Filed for public inspection January 7, 2005, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

This notice provides information about persons who have applied for a new, amended or renewed NPDES or WQM permit, a permit waiver for certain stormwater discharges or submitted a Notice of Intent (NOI) for coverage under a general permit. The applications concern, but are not limited to, discharges related to industrial, animal or sewage waste, discharges to groundwater, discharges associated with municipal separate storm sewer systems (MS4), stormwater associated with construction activities or concentrated animal feeding operations (CAFOs). This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92 and 40 CFR Part 122, implementing The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and the Federal Clean Water Act.

| <i>Location</i> | <i>Permit Authority</i> | <i>Application Type or Category</i> |
|-----------------|-------------------------|--|
| Section I | NPDES | Renewals |
| Section II | NPDES | New or amendment |
| Section III | WQM | Industrial, sewage or animal waste; discharge into groundwater |
| Section IV | NPDES | MS4 individual permit |
| Section V | NPDES | MS4 permit waiver |
| Section VI | NPDES | Individual permit stormwater construction |
| Section VII | NPDES | NOI for coverage under NPDES general permits |

For NPDES renewal applications in Section I, the Department of Environmental Protection (Department) has made a tentative determination to reissue these permits for 5 years subject to effluent limitations and monitoring and reporting requirements in their current permits, with appropriate and necessary updated requirements to reflect new and changed regulations and other requirements.

For applications for new NPDES permits and renewal applications with major changes in Section II, as well as applications for MS4 individual permits and individual stormwater construction permits in Sections IV and VI, the Department, based upon preliminary reviews, has made a tentative determination of proposed effluent limitations and other terms and conditions for the permit applications. These determinations are published as proposed actions for comments prior to taking final actions.

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

Persons wishing to comment on an NPDES application are invited to submit a statement to the regional office noted before an application within 30 days from the date of this public notice. Persons wishing to comment on a WQM permit application are invited to submit a statement to the regional office noted before the application within 15 days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the applications. Comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department will also accept requests for a public hearing on applications. A public hearing may be held if the responsible office considers the public response significant. If a hearing is scheduled, a notice of the hearing will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. The Department will postpone its final determination until after a public hearing is held.

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

I. NPDES Renewal Applications

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

| <i>NPDES No. (Type)</i> | <i>Facility Name & Address</i> | <i>County & Municipality</i> | <i>Stream Name (Watershed#)</i> | <i>EPA Waived Y/N ?</i> |
|-----------------------------|---|--------------------------------------|---|-----------------------------|
| PA0088242 (CAFO) | Country View Family Farms— Huston Hollow Farm P. O. Box 526 Ephrata, PA 17522-0526 | Fulton County Taylor Township | Intermittent UNT to Wooden Bridge Creek/12-C | Y |

| <i>NPDES No. (Type)</i> | <i>Facility Name & Address</i> | <i>County & Municipality</i> | <i>Stream Name (Watershed#)</i> | <i>EPA Waived Y/N ?</i> |
|-----------------------------|--|--------------------------------------|-------------------------------------|-----------------------------|
| PA0080586 (SEWAGE) | Morton Building, Inc. 3370 York Road Gettysburg, PA 17325-8258 | Adams County Straban Township | UNT Swift Run/7-F | Y |

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

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

Application No. PA 0023744, Sewage, **Northeastern York County Sewer Authority**, P. O. Box 516, 175 Chestnut Street, Mount Wolf, PA 17347. This facility is located in East Manchester Township, **York County**.

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

The receiving waters, Susquehanna River, is in Watershed 7-F, and classified for warm water fishery, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Wrightsville Water Supply Co. is located on the Susquehanna River, approximately 10 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 based on an annual average flow rate of 1.7 mgd are:

| <i>Parameter</i> | <i>Average Monthly (mg/l)</i> | <i>Average Weekly (mg/l)</i> | <i>Maximum Daily (mg/l)</i> | <i>Instantaneous Maximum (mg/l)</i> |
|--|-----------------------------------|--------------------------------------|---------------------------------|---|
| CBOD ₅ | 25 | 40 | XXX | 50 |
| Total Suspended Solids | 30 | 45 | XXX | 60 |
| NH ₃ -N (Interim) | Monitor & Report | XXX | XXX | XXX |
| NH ₃ -N (Final) (5/1 to 10/31) | 12 | XXX | XXX | 24 |
| (11/1 to 4/30) | Monitor & Report | XXX | XXX | XXX |
| Total Phosphorus | 2.0 | XXX | XXX | 4.0 |
| Total Residual Chlorine | 0.4 | XXX | Monitor & Report | 1.3 |
| Total Nitrogen | XXX | XXX | Monitor & Report | XXX |
| Oil and Grease | XXX | XXX | Monitor & Report | XXX |
| Total Copper | XXX | XXX | Monitor & Report | XXX |
| Total Aluminum | XXX | XXX | Monitor & Report | XXX |
| Total Mercury | XXX | XXX | Monitor & Report | XXX |
| Dissolved Oxygen | | Minimum of 5.0 at all times | | |
| pH | | From 6.0 to 9.0 inclusive | | |
| Fecal Coliform (5/1 to 9/30) | | 200/100 ml as a geometric average | | |
| (10/1 to 4/30) | | 10,000/100 ml as a geometric average | | |

All limitations and monitoring requirements for this permit amendment are the same as those contained in the NPDES permit issued on September 12, 2003, with the exception of the acute Whole Effluent Toxicity limit, which will be removed based on the identification and elimination of the source of toxicity.

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

The EPA waiver is not in effect.

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

PA0228851, CAFO, SIC 0213, **Country View Family Farms**, R. D. 2, Box 54A, Columbia Crossroads, PA 16914. This proposed facility will be located in Columbia Township, **Bradford County**.

Description of Proposed Activity: Van Blarcom Farms, an existing dairy farm, proposes the construction of a new swine farm. The new swine operation will consist of a breeding and gestation barn, a farrowing barn, a grower barn, a solids separating area, a stacking area and manure storage ponds. Manure will be conveyed from under-barn storages to solids separating area, where solids will be removed and liquids will be further conveyed to the manure storage ponds. The manure storages will have HDPE liners and leak detection systems. The two manure storages will have a total storage of 2,754,100 gallons. All manure will be land applied on lands operated by Van Blarcom Farms. Total AEUs at the site will be 1,316.3.

The nearest stream, North Branch Sugar Creek, is in the State Water Plan watershed 4C and is classified for: TSF.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 25-year/24-hour rain storms, the CAFO individual permit is a nondischarge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required.

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

PA0028126, Industrial Waste, SIC, 4941, **Pennsylvania American Water**, 800 West Hersheypark Drive, Hershey, PA 17033. This application is for renewal of an NPDES permit to discharge backwash water and untreated stormwater from Hays Mine Beck Run Complex WTP in Pittsburgh, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, Becks Run Creek, classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream PWS is West View Municipal Authority, located at Ohio River, 9 miles below the discharge point.

Outfall 001: existing discharge, design flow of 1.72 mgd.

| Parameter | Mass (lb/day) | | Concentration (mg/l) | | |
|-------------------------|--|---------------|----------------------|---------------|-----------------------|
| | Average Monthly | Maximum Daily | Average Monthly | Maximum Daily | Instantaneous Maximum |
| Flow | Monitor and Report | | | | |
| Total Suspended Solids | | | 30 | | 60 |
| Total Iron | | | 2 | | 4 |
| Aluminum (T) | | | 4 | | 8 |
| Manganese (T) | | | 1 | | 2 |
| Total Residual Chlorine | | | 0.5 | | 1 |
| pH | not less than 6.0 nor greater than 9.0 | | | | |

The EPA waiver is in effect.

PA0252743, Industrial Waste, SIC, **Indian Creek Valley Water Authority**, P. O. Box 486, Indian Head, PA 15446-0486. This application is for issuance of an NPDES permit to discharge treated process water from Neal's Run Well Water Treatment Plant in Saltlick Township, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, Back Creek, classified as a CWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is North Fayette County Municipal Authority, located at Dunbar—Youghiogheny River, approximately 16.5 miles below the discharge point.

Outfall 001: new discharge, design flow of 0.0043 mgd.

| Parameter | Mass (lb/day) | | Concentration (mg/l) | | |
|-------------------------|--|---------------|----------------------|---------------|-----------------------|
| | Average Monthly | Maximum Daily | Average Monthly | Maximum Daily | Instantaneous Maximum |
| Flow (mgd) | Monitor & Report | | | | |
| Suspended Solids | | | 30 | | 60 |
| Iron | | | 2.0 | | 4.0 |
| Aluminum | | | 1.3 | | 2.6 |
| Manganese | | | 1.0 | | 2.0 |
| Total Residual Chlorine | | | 0.5 | | 1.0 |
| pH | not less than 6.0 nor greater than 9.0 | | | | |

The EPA waiver is in effect.

PA0020656, Sewage, **Newell Municipal Authority**, 413 Second Street, P. O. Box 356, Newell, PA 15466-0356. This application is for renewal of an NPDES permit to discharge treated sewage from Newell Sewage Treatment Plant in Newell Borough, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Monongahela River, which are classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the: Washington Township Municipal Authority on the Monongahela River.

Outfall 001: existing discharge, design flow of 0.1 mgd.

| Parameter | Concentration (mg/l) | | |
|--|--|----------------|---------------|
| | Average Monthly | Average Weekly | Maximum Daily |
| CBOD ₅ | 25 | 37.5 | 50 |
| Suspended Solids | 30 | 45 | 60 |
| Fecal Coliform (5/ to 9/30) (10/1 to 4/30) | 200/100 ml as a geometric mean 2,000/100 ml as a geometric mean | | |
| Total Residual Chlorine | 1.4 | | 3.3 |
| pH | not less than 6.0 nor greater than 9.0 | | |

The EPA waiver is in effect.

PA0026069-A1, Sewage, **Latrobe Municipal Authority**, P. O. Box 88, Latrobe, PA 15650. This application is for amendment of an NPDES permit to discharge treated sewage from Latrobe Municipal Authority Sewage Treatment Plant in Latrobe Borough, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Loyalhanna Creek, which are classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the: Freeport Water Company.

Outfall 001: existing discharge, design flow of 5.0 mgd.

This permit is amended to delete the discharge limit for Total Residual Chlorine since ultraviolet radiation versus chlorination is now used for disinfection.

PA0094960, Sewage, **Williams Barnes**, P. O. Box 337, Eighty Four, PA 15330.

This application is for renewal of an NPDES permit to discharge treated sewage from Barnes Apartments Sewage Treatment Plant in Somerset Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Little Chartiers Creek, which are classified as a H-Q WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the: Western Pennsylvania Water Authority.

Outfall 001: existing discharge, design flow of 0.0023 mgd.

| Parameter | Concentration (mg/l) | | | |
|-------------------------|--|----------------|---------------|-----------------------|
| | Average Monthly | Average Weekly | Maximum Daily | Instantaneous Maximum |
| CBOD ₅ | 25 | | | 50 |
| Suspended Solids | 30 | | | 60 |
| Ammonia Nitrogen | | | | |
| (5/1 to 10/31) | 3.0 | | | 6.0 |
| (11/1 to 4/30) | 9.0 | | | 18.0 |
| Fecal Coliform | | | | |
| (5/1 to 9/30) | 200/100 ml as a geometric mean | | | |
| (10/1 to 4/30) | 2,000/100 ml as a geometric mean | | | |
| Total Residual Chlorine | 1.4 | | | 3.3 |
| Dissolved Oxygen | not less than 5 mg/l | | | |
| pH | not less than 6.0 nor greater than 9.0 | | | |

The EPA waiver is in effect.

PA0216224, Sewage, **Richard Prostejovsky**, 1083 Manor Drive, Ebensburg, PA 15931. This application is for renewal of an NPDES permit to discharge treated sewage from the Prostejovsky Single Residence STP in Cambria Township, **Cambria County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as an UNT of North Branch Little Conemaugh River, which are classified as a CWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the: Blairsville Municipal Authority on the Conemaugh River.

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

| Parameter | Concentration (mg/l) | | | |
|-------------------------|--|----------------|---------------|-----------------------|
| | Average Monthly | Average Weekly | Maximum Daily | Instantaneous Maximum |
| CBOD ₅ | 25 | | | 50 |
| Suspended Solids | 30 | | | 60 |
| Fecal Coliform | | | | |
| (5/1 to 9/30) | 200/100 ml as a geometric mean | | | |
| (10/1 to 4/30) | 2000/100 ml as a geometric mean | | | |
| Total Residual Chlorine | Monitor and Report | | | |
| pH | not less than 6.0 nor greater than 9.0 | | | |

The EPA waiver is in effect.

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

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

WQM Permit No. 3904201, Industrial Waste, **Pennsylvania Turnpike Commission**, P. O. Box 67676, Harrisburg, PA 17106-7676. This proposed facility is located in Washington Township, **Lehigh County**, PA.

Description of Proposed Action/Activity: This project involves construction of a .0026 mgd industrial waste treatment facility to treat wastewater from Pennsylvania Turnpike Commission at Slatington Maintenance Facility.

WQM Permit No. 3904406, Sewerage, **Upper Saucon Sewage Treatment Authority**, 5500 Camp Meeting Road, Center Valley, PA 18034-9444. This proposed facility is located in Upper Saucon Township, **Lehigh County**, PA.

Description of Proposed Action/Activity: This project consists of replacing the existing chlorine disinfection system with ultraviolet disinfection system.

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

WQM Permit No. 2104414, Sewerage, **South Middleton Township Municipal Authority**, P. O. Box 8, Boiling Springs, PA 17007. This proposed facility is located in South Middleton Township, **Cumberland County**.

Description of Proposed Action/Activity: Construction of the Carlisle Crossing sewer extension and replacement of existing pump station to serve department stores, small shops, restaurants, and the like).

WQM Permit No. 3604417, Sewerage, **Suburban Lancaster Sewer Authority**, 218 West Orange Street, P. O. Box 1271, Lancaster, PA 17603. This proposed facility is located in West Lampeter Township, **Lancaster County**.

Description of Proposed Action/Activity: Construction of sewer extension and pumping station to serve the Horst Tract.

WQM Permit No. 567s030, Amendment 04-1, Sewerage, **Pennsylvania Turnpike Commission** (Sideling Hill Service Plaza), Administration Building, 700 South Eisenhower Boulevard, Middletown, PA 17057. This proposed facility is located in Taylor Township, **Fulton County**.

Description of Proposed Action/Activity: Upgrade of wastewater treatment plant.

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

WQM Permit No. 0804202, CAFO Operation, SIC 0213, **Country View Family Farms**, R. D. 2, Box 54A, Columbia Crossroads, PA 16914. This proposed facility will be located in Columbia Township, **Bradford County**.

Description of Proposed Activity: Van Blarcom Farms, an existing dairy farm, proposes the construction of a new swine farm. The new swine operation will consist of a breeding and gestation barn, a farrowing barn, a grower barn, a solids separating area, a stacking area and manure storage ponds. Manure will be conveyed from under-barn storages to solids separating area, where solids will be removed and liquids will be further conveyed to the manure storage ponds. The manure storages will have HDPE liners and leak detection systems. The two manure storages will have a total storage of 2,754,100 gallons. All manure will be land applied on lands operated by Van Blarcom Farms. Total AEUs at the site will be 1,316.3.

WQM Permit No. 0804203, CAFO Operation 0213, **Country View Family Farms**, Ephrata, PA 17522. This existing facility is located in Wells Township, **Bradford County**.

Description of Proposed Action/Activity: Improvements to the leak detection system, concrete vault liners and stormwater management system at the existing facility.

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

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

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

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

NPDES

| <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------|---|---------------|-------------------------------------|---|
| PAI010904014 | Prime Building Group Biddle Tract 1631 Meetinghouse Road Chalfont, PA 18914 | Bucks | Milford Township | Molasses Creek/Unami Creek (HQ-CWF) |
| PAI011504090 | Great Valley School District Sugartown Elementary School Add. 47 Church Road Malvern, PA 19355 | Chester | Willistown Township | West Branch Crum Creek (EV) |
| PAI011504091 | Joe Budis Budis Subdivision Development 10 First Street Murray Hill, NJ 07944 | Chester | Honey Brook Borough and Township | West Branch Brandywine Creek (HQ) |

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

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

NPDES

| <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------|---|---------------|----------------------------|--------------------------------|
| PAI023904040 | Trexlerstown Plaza Associates Paul Mullins 600 Old Country Rd. Garden City, NY 11530 | Lehigh | Lower Macungie Township | Little Lehigh Creek, HQ-CWF |

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

NPDES

| Permit No. | Applicant Name & Address | County | Municipality | Receiving Water/Use |
|--------------|---|--------|-----------------|-----------------------------|
| PAI024504030 | Forte Inc. P. O. Box 153 Stroudsmoor Rd. Stroudsburg, PA 18360 | Monroe | Stroud Township | Cherry Creek, HQ-CWF, MF |

Northampton County Conservation District: Greystone Building, Gracedale Complex, Nazareth, PA 18064-9211, (610) 746-1971.

NPDES

| Permit No. | Applicant Name & Address | County | Municipality | Receiving Water/Use |
|--------------|---|-------------|-------------------------|--|
| PAI024804043 | Hecktown Fire Company Attn: Jeff Seip 230 Nazareth Pike Bethlehem, PA 18020 | Northampton | Lower Nazareth Township | Monocacy Creek, HQ-CWF |
| PAI024804044 | Mark Wagner, President Wagner Enterprises, LTD P. O. Box 3154 Easton, PA 18043 | Northampton | City of Bethlehem | Saucon Creek, HQ-CWF (Black River to SR 412 Bridge) |

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

NPDES

| Permit No. | Applicant Name & Address | County | Municipality | Receiving Water/Use |
|-----------------|--|----------|-------------------|-------------------------------|
| PAI-0328-04-006 | JATIM Enterprises, Inc. 421 South Washington Street Berkeley Springs, WV 25411 | Franklin | Guilford Township | Conococheague Creek/HQ-CWF |

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

Centre County Conservation District: 414 Holmes Ave., Suite 4, Bellefonte, PA 16823 (814) 355-6817.

NPDES

| Permit No. | Applicant Name & Address | County | Municipality | Receiving Water/Use |
|--------------|---|--------|-----------------|----------------------|
| PAI041404018 | Sports Management Group Inc., Phase IV Gary Ream P. O. Box 93 Rt. 45 Woodward, PA 16882 | Centre | Haines Township | UNT Pine Creek EV |

Clearfield County Conservation District: 650 Leonard St., Clearfield, PA 16830, (814) 765-2629.

NPDES

| Permit No. | Applicant Name & Address | County | Municipality | Receiving Water/Use |
|--------------|--|------------|-----------------|---|
| PAI041704002 | Mosquito Creek Sportsmens Assoc. P. O. Box 218 Frenchville, PA 16836 | Clearfield | Girard Township | Lost run-HQ-CWF Deserter run-HQ-CWF Gifford Run-HQ-CWF |

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

| | |
|--------|---|
| PAG-12 | Concentrated Animal Feeding Operations (CAFOs) |
| PAG-13 | Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4) |

PUBLIC WATER SUPPLY (PWS) PERMIT

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

Persons wishing to comment on a permit application are invited to submit a statement to the office listed before the application within 30 days of this public notice. Comments received within the 30-day comment period will be considered in the formulation of the final determinations regarding the application. Comments should in-

clude the name, address and telephone number of the writer and a concise statement to inform the Department of Environmental Protection (Department) of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

Following the comment period, the Department will make a final determination regarding the proposed permit. Notice of this final determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The permit application and any related documents are on file at the office listed before the application and are available for public review. Arrangements for inspection and copying information should be made with the office listed before the application.

Persons with a disability who require an auxiliary aid, service or other accommodations to participate during the 30-day public comment period should contact the office listed before the application. TDD users 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

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

Permit No. 0104504, Public Water Supply.

| | |
|---------------------------|---|
| Applicant | Possum Valley Municipal Authority |
| Municipality | Menallen Township |
| County | Adams |
| Responsible Official | John W. Breighner Jr, Chairperson P. O. Box 420 Bendersville, PA 17306 |
| Type of Facility | Public Water Supply |
| Consulting Engineer | Janet R McNally, P. E. William F. Hill & Assoc., Inc. 207 Baltimore St. Gettysburg, PA 17325 |
| Application Received Date | 10/22/2004 |
| Description of Action | Installation of transmission mains and a stream intake on Opossum Creek for a pilot study. |

Permit No. 2204506, Public Water Supply.

| | |
|---------------------------|--|
| Applicant | Wissahickon Spring Water |
| Municipality | Williams Township |
| County | Dauphin |
| Responsible Official | Albert Lear, Dir. Quality Assurance 10447 Drummond Rd. Philadelphia, PA 19154 |
| Type of Facility | Public Water Supply |
| Consulting Engineer | Thomas G. Pullar, P. E. EarthRes Group Inc P. O. Box 468 Pipersville, PA 18947 |
| Application Received Date | 8/9/2004 |
| Description of Action | The addition of a new water source (borehole BH-2) at the Temple Spring bulk water facility. |

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 1

Acknowledgment of Notices of Intent to Remediate Submitted Under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.908)

Sections 302, 303, 304 and 305 of the Land Recycling and Environmental Remediation Standards Act (Act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the background standard, Statewide health standard, the site-specific standard, or who intend to remediate a site as a special industrial area, must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site, and a description of the intended future use of the site. A person who demonstrates attainment of one, or a combination of the cleanup standards, or who receives approval of a special industrial area remediation identified under the Act, will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

Under Sections 304(n)(1)(ii) and 305(c)(2) of the Act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area of the site. For the sites identified below, 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 below. During this comment period the municipality may request that the person identified below, as the remediator of the site, develop and implement a public involvement plan. Requests to be involved, and comments, should be directed to the remediator of the site.

For further information concerning the content of a Notice of Intent to Remediate, please contact the Environmental Cleanup Program Manager in the Department of Environmental Protection Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department of Environmental Protection has received the following Notice(s) of Intent to Remediate:

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

Wimmer Scrap Facility (Former), Etna Borough, **Allegheny County**. Wendy Noe, American Geosciences, Inc., 3925 Reed Blvd., Suite 400, Murrysville, PA 15668-1848 (on behalf of Marco Pompeo, Etna Properties, LLP, 2201 Main Street, Pittsburgh, PA 15215) has submitted a Notice of Intent to Remediate soil contaminated with heavy metals, and PCBs. The applicant proposes to remediate the site to meet the Special Industrial Area Requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the Pittsburgh Post Gazette on August 10, 2004.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Application received, Under the Solid Waste Management Act (35 P. S. §§ 6018.101— 6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site.

Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Permit ID No. 100172. Arden Landfill, Inc., 200 Rangos Lane, Washington, PA 15301. Arden Landfill, 200 Rangos Lane, Washington, PA 15301. Application for the expansion of a municipal waste landfill in Chartiers Township, **Washington County** was received in the Regional Office on December 23, 2004.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

NEW SOURCES AND MODIFICATIONS

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

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

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

Persons wishing to receive a copy of a proposed plan approval or operating permit must indicate their interest to the Department regional office within 30 days of the date of this notice and must file protests or comments on a proposed plan approval or operating permit within 30 days of the Department providing a copy of the proposed document to that person or within 30 days of its publication in the *Pennsylvania Bulletin*, whichever comes first. Interested persons may also request that a hearing be held concerning the proposed plan approval and operating permit. Comments or protests filed with the Department

regional offices must include a concise statement of the objections to the issuance of the Plan approval or operating permit and relevant facts which serve as the basis for the objections. If the Department schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior the date of the hearing.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodation to participate should contact the regional office identified before the application. TDD users 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 (act) and regulations adopted under the act.

PLAN APPROVALS

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

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790, Mark Wejkszner, New Source Review Chief, (570)-826-2531.

54-303-016: Foster Materials—Division of Naceville Materials (1371 West Street Road, Warminster, PA 18974) for construction of a batch asphalt plant with the capability to utilize waste derived liquid fuels and associated air cleaning device at their Ryan Stone Quarry in Foster Township, **Schuylkill County**.

45-301-029: HG Smith-Wilbert Vault Co. (2120 North Fifth Street, Stroudsburg, PA 18360) for construction of a crematory and associated air cleaning device at their facility on Dreher Avenue, Stroudsburg Borough, **Monroe County**.

48-317-020: ConAgra Food Ingredients Co. (Route 611, Martins Creek, PA 18063) for installation of air cleaning devices to capture emissions from flour milling and loading operations at their facility in Lower Mount Bethel Township, **Northampton County**.

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

10-348A: Amerikohl Mining, Inc. (PA Route 58, Butler PA 16001) for plan approval to construct a 200 tph coal crusher/stockpile at their Hortert Mine, SMP No. 10990101, in Venango Township, **Butler County**.

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

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, Thomas McGinley, New Source Review Chief, (484) 250-5920.

15-0010A: ISG Plate, LLC (139 Modena Road, Coatesville, PA 19320) for modification of a 200' NAB Furnace (CHT) at their facility in the City of Coatesville,

Chester County. This facility is a Title V facility. The 200' NAB Furnace (CHT) is identified in the facility's Title V Operating Permit as Source 146B. ISG Plate LLC proposes to install new high efficiency burners to replace older burners. To assure that PSD would not apply on a "past actual to future potential" basis, Source 146B will be subject to the following restrictions: 1) a limit of 30.6 tons of NOx per year, as a 12 month rolling sum (this is a reduction in the source's current potential to emit of 93.2 tons per year), 2) a fuel usage restriction for the 200' NAB Furnace (CHT), 3) a limitation to only burning natural gas, 4) the installation of a fuel usage meter, 5) a requirement to monitor and record fuel usage, and 6) a requirement to stack test the furnace to verify its NOx emission rate. The Plan Approval will contain monitoring and recordkeeping requirements designed to keep Source 146B operating within the allowable emissions and all applicable air quality requirements.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701, Richard Maxwell, New Source Review Chief, (570) 327-3637.

55-399-005A: Professional Building Systems, Inc. (72 East Market Street, Middleburg, PA 17842) for construction of a modular home manufacturing facility in Middleburg Borough, **Snyder County.**

The modular home manufacturing facility incorporates various manufacturing activities involving the use of adhesives, sealants, paints, cleaning solvents, and the like. The facility will emit up to 8.39 tons of volatile organic compounds and 1.11 tons of volatile hazardous air pollutants per year.

The Department of Environmental Protection's (Department) review of the information provided by Professional Building Systems, Inc. indicates that the modular manufacturing facility will comply with all Air Quality requirements pertaining to air contamination sources and the emission of air contaminants, including the best available technology requirement of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue plan approval for the construction of the modular home manufacturing facility.

The following is a summary of the conditions that the Department proposes to place in the plan approval to be issued to ensure compliance with all applicable regulatory requirements:

1. This plan approval supersedes Plan Approval 55-399-005 in its entirety.
2. The total combined volatile organic compound emissions shall not exceed 8.39 tons in any 12 consecutive month period and the total combined volatile hazardous air pollutant emissions shall not exceed 1.11 tons in any 12 consecutive month period.
3. Only those specific adhesives, sealants, coatings (paints, stains, topcoats, and the like), cleaning solvents, and the like identified in the plan approval application (or an alternate material determined by the Department to have an equivalent, or lower, air contaminant emission potential) shall be used.
4. All materials listed below shall comply with the usage limitations identified as applying to that material:

| <i>Material</i> | <i>Max. lbs used for 12 consecutive month period</i> |
|---|--|
| Titebond DA (and any alternate materials) | 14,500 |

| <i>Material</i> | <i>Max. lbs used for 12 consecutive month period</i> |
|--|--|
| Red Devil Acrylic Caulk (and any alternate materials) | 5,312 |
| Gun Cleaner (and any alternate materials) | 410 |
| Bondaflex Sil 100 (and any alternate materials) | 323 |
| Rector Seal T-2 (and any alternate materials) | 50 |
| Oatey Low VOC Purple Primer (and any alternate materials) | 350 |
| Oatey All Purpose Cement (and any alternate materials) | 416 |
| Whitlam Turf—Pool Cement (and any alternate materials) | 1,835 |
| Genova Uncopper CPVC Cement (and any alternate materials) | 156 |
| Golden Carmel Interior Stain (and any alternate materials) | 482 |
| Terminator T-2 Interior Primer (and any alternate materials) | 163 |
| Prokote 901 Interior Paint (and any alternate materials) | 450,360 |
| Seameal Plus Caulk (and any alternate materials) | 3,375 |
| CSL 160 Silicone Caulk (and any alternate materials) | 483 |
| Bondaflex Sil-A 700 Caulk (and any alternate materials) | 274 |
| Star Stuk Cement (and any alternate materials) | 23 |
| Simple Green (and any alternate materials) | 172 |
| Goof Off (and any alternate materials) | 254 |
| Titebond CA (and any alternate materials) | 17,219 |
| Amstone Roof Cement (and any alternate materials) | 378 |
| Duron Spray Paint (and any alternate materials) | 2,333 |
| Duron Weathershield Exterior (and any alternate materials) | 576 |

5. All materials listed below shall comply with the VOC and volatile hazardous air pollutant (VHAP) content limitations identified as applying to that material:

| <i>Material</i> | <i>Maximum VOC Content (weight %)</i> | <i>Maximum VHAP Content (weight %)</i> |
|---|---|--|
| Titebond DA (and any alternate materials) | 2.47 | 1.82 |
| Red Devil Acrylic Caulk (and any alternate materials) | 2.90 | .90 |
| Gun Cleaner (and any alternate materials) | 100.00 | .00 |
| Bondaflex Sil 100 (and any alternate materials) | 3.50 | .00 |
| Rector Seal T-2 (and any alternate materials) | 30.00 | .00 |
| Oatey Low VOC Purple Primer (and any alternate materials) | 100.00 | 80.00 |
| Oatey All Purpose Cement (and any alternate materials) | 88.00 | 40.00 |
| Whitlam Turf-Pool Cement (and any alternate materials) | 81.00 | 7.00 |

| <i>Material</i> | <i>Maximum VOC Content (weight %)</i> | <i>Maximum VHAP Content (weight %)</i> |
|--|---|--|
| Genova Uncopper CPVC Cement (and any alternate materials) | 90.00 | .00 |
| Genesis Interior Semi-Gloss (and any alternate materials) | .00 | .00 |
| Golden Carmel Interior Stain (and any alternate materials) | 7.80 | .00 |
| Terminator T-2 Interior Primer (and any alternate materials) | 2.10 | 1.00 |
| Prokote 901 Interior Paint (and any alternate materials) | 2.52 | .00 |
| Seameal Plus Caulk (and any alternate materials) | .20 | .00 |
| CSL 160 Silicone Caulk (and any alternate materials) | 5.00 | .00 |
| Bondaflex Sil-A 700 Caulk (and any alternate materials) | 1.72 | .90 |
| Star Stuk Cement (and any alternate materials) | 65.00 | 40.00 |
| Simple Green (and any alternate materials) | 1.00 | .00 |
| Titebond CA (and any alternate materials) | 2.25 | 1.52 |
| Amstone Roof Cement (and any alternate materials) | 34.40 | .00 |
| Duron Spray Paint (and any alternate materials) | 53.00 | 33.00 |
| Duron Weathershield Exterior (and any alternate materials) | 6.40 | 4.00 |

6. The use of "Foamseal 2100A," "Foamseal 2100," "Macroplast UR-8225BH," "AD Firebarrier," "Draft Stop" and "Everflux" shall not result in the emission of any VOCs or VHAPs.

7. Only airless, air-assisted airless or HVLP spray technology shall be used to apply coatings other than those applied by brush or cloth.

8. All containers of VOC-containing and volatile hazardous air pollutant-containing materials shall be kept closed except when in active use. Any solvent flushed from spray lines shall be flushed in a solid stream into a container. Solvent may not be removed from spray lines by spraying into the air or by spraying an atomized spray into a container. All solvent-wet rags shall be stored in closed containers.

9. Appropriate records shall be kept to demonstrate compliance with all plan approval conditions. These records shall be submitted to the Department of Environmental Protection on a quarterly basis.

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

16-136C: Glenn O. Hawbaker, Inc.—Plant No. 14—Clarion Asphalt Facility (State Route 3011, Clarion, PA 16214) to burn alternative fuels including No. 2, No. 5, No. 6, fuel oil or any combination of No. 2, No. 4, No. 6 and reprocessed/recycled oil in Beaver Township, **Clarion County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department of Environmental Protection intends to issue a plan approval to: burn alternative fuels including No. 2, No. 5, No. 6, fuel oil or any combination of No. 2, No. 4, No. 6 and reprocessed/recycled oil in Beaver Township, Clarion County. This plan approval

will, in accordance with 25 Pa. Code § 127.450, be incorporated into a State Only operating permit through an administrative amendment at a later date.

OPERATING PERMITS

Intent to Issue Title V Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter G.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, Eric Gustafson, Facilities Permitting Chief, (814) 332-6940.

20-00040: Advanced Cast Products, Inc. (18700 Mill Street, Meadville, Pa 16335) for a Reissuance of the Title V Operating Permit. The facility is in the City of Meadville, **Crawford County**. The facility manufactures gray and ductile iron foundries casting products. The facility's major emission sources include preheating and charge, melting and transfer, pouring-cooling-shakeout, new grinding and goff, grinding and cleaning, core making and baking, sand handling, heat treating- austemper operation, painting operation, air-makeup units three, miscellaneous natural gas usage and two degreaser units. The facility is a major facility due to its potential to emit of particulate matter.

Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104, Edward Braun, Chief, (215) 823-7584.

V04-010: Arbill Industries, Inc. (2270 West Glenwood Avenue, Philadelphia, PA 19132) for operation of an industrial laundry and petroleum based dry-cleaning facility in the City of Philadelphia, **Philadelphia County**. The Title V facility's air emission sources include two 5.5 MMBtu/hr boilers, two heavy-duty petroleum solvent dry cleaning washer, ten textile dryers with built-in condensers, three vacuum stills for petroleum solvent recovery and 26 hampers used to convey textiles.

The operating permit will be issued under the 25 Pa. Code, Philadelphia code title 3 and air management regulation xiii. Permit copies and other supporting information are available for public inspection at AMS, 321 University Ave., Philadelphia, PA 19104. For further information, contact Edward Wiener (215) 685-9426.

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

Intent to Issue Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.

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

46-00245: Neptune Chemical Pump Co., Inc. (215 Keystone Drive, Montgomeryville, PA 18936) for operation of their facility in Lansdale, **Montgomery County**. The permit is for a non-Title V (State only) facility. The facility's primary emission sources are two spray paint booths and a Pressurized Drum. The permit will include

monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). Mining activity permits issued in response to applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department of Environmental Protection (Department). A copy of an application is available for inspection at the district mining office indicated before an application. Where a 401 Water Quality Certification is needed for any aspect of a particular proposed mining activity, the submittal of the permit application will serve as the request for certification.

Written comments, objections or requests for informal conferences on applications may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the district mining office indicated before an application within 30 days of this publication, or within 30 days

after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

Where any of the mining activities listed will have discharges of wastewater to streams, the Department will incorporate NPDES permits into the mining activity permits issued in response to these applications. NPDES permits will contain, at a minimum, technology-based effluent limitations as identified in this notice for the respective coal and noncoal applications. In addition, more restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining which may occur will be incorporated into a mining activity permit, when necessary, for compliance with water quality standards (in accordance with 25 Pa. Code Chapters 93 and 95). Persons or agencies who have requested review of NPDES permit requirements for a particular mining activity within the previously mentioned public comment period will be provided with a 30-day period to review and submit comments on the requirements.

Written comments or objections should contain the name, address and telephone number of the person submitting comments or objections; the application number; and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based. Requests for an informal conference must contain the name, address and telephone number of requestor; the application number; a brief summary of the issues to be raised by the requestor at the conference; and a statement whether the requestor wishes to have the conference conducted in the locality of the proposed mining activities.

Coal Applications Received

Effluent Limits

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

| <i>Parameter</i> | <i>30-day Average</i> | <i>Daily Maximum</i> | <i>Instantaneous Maximum</i> |
|-------------------|---------------------------|---------------------------------|----------------------------------|
| iron (total) | 3.0 mg/l | 6.0 mg/l | 7.0 mg/l |
| manganese (total) | 2.0 mg/l | 4.0 mg/l | 5.0 mg/l |
| suspended solids | 35 mg/l | 70 mg/l | 90 mg/l |
| pH ¹ | | greater than 6.0; less than 9.0 | |

alkalinity greater than acidity¹

¹ The parameter is applicable at all times.

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

California District Office: 25 Technology Drive, Coal Center, PA 15423.

30841317. NPDES Permit No. PA0213527, Consol Pennsylvania Coal Company, (P. O. Box J, Claysville, PA 15323), to revise the permit for the Enlow Fork Mine in East Finley Township, **Washington County** to conduct blasting activity to construct airshaft. No additional discharges. Application received December 14, 2004.

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

26040104 and NPDES Permit No. PA0250627. David L. Patterson, Jr. (12 Short Cut Road, Smithfield, PA 15478). Application for commencement, operation and reclamation of a bituminous surface mine, located in Nicholson Township, **Fayette County**, affecting 26.2 acres. Receiving streams: UNT to Monongahela River, classified for the following use: WWF. The potable water supply intakes within 10 miles downstream from the point of discharge: Masontown Water Works, Carmichaels Municipal Authority and Southwestern PA Water Authority. Application received: December 14, 2004.

26040105 and NPDES Permit No. PA0250635. Amerikohl Mining, Inc. (P. O. box 427, Acme, PA 15610-0427). Application for commencement, operation and reclamation of a bituminous surface mine, located in

Dunbar Township, **Fayette County**, affecting 364.6 acres. Receiving streams: Gist Run and UNTs to Laurel Run and Ferguson Run, classified for the following use: TSF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: December 14, 2004.

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

16040104 and NPDES Permit No. PA0242608. Reichard Contracting, Inc. (212 Olean Trail, New Bethlehem, PA 16242). Commencement, operation and restoration of a bituminous surface strip operation in Porter Township, **Clarion County** affecting 70.5 acres. Receiving streams: Two UNTs to Leatherwood Creek, one UNT to Long Run and Long Run, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: December 16, 2004.

1642-10010112-E-1. T. C. Mining (252 Lower Hays Run Road, Kittanning, PA 16201). Application for stream encroachment to construct E & S controls within the 100 foot barrier and reestablish at portion of an UNT to the South Branch of Slippery Rock Creek in Clay and Concord Townships, **Butler County**. Receiving streams: UNT to South Branch of Slippery Rock Creek, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: December 17, 2004.

33990108 and NPDES Permit No. PA0241482. T. L. H. Coal Company (4401 Pollock Road, Marion Center, PA 15759). Renewal of an existing bituminous surface strip operation in Young Township, **Jefferson County** affecting 49.5 acres. Receiving streams: UNT to Sawmill Run, classified for the following: CWF. There are no potable surface water supply intakes within 10 miles

downstream. Application for reclamation only. Application received: December 20, 2004.

24900103 and NPDES Permit No. PA0207977. Energy Resources, Inc. (P. O. Box 259, Brockway, PA 15824). Renewal of an existing bituminous surface strip, auger, and beneficial use of fluidized bed ash use of co-product operation in Fox and Horton Townships, **Elk County** affecting 367.0 acres. Receiving streams: McCauley Run, Curry Run, Boderocco Run, Brandy Camp Creek and UNTs to Little Toby Creek, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application for reclamation only. Application received: December 21, 2004.

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

40663024C8. Coal Contractors (1991), Inc., (P. O. Box 39, Hazleton, PA 18201), correction to an existing anthracite surface mine operation for a stream variance for Hazle Creek in Hazle Township, **Luzerne County** affecting 925.0 acres, receiving stream: Hazle Creek. Application received December 16, 2004.

54040203. Wheelabrator Culm Services, Inc., (Liberty Lane, Hampton, NH 03842), commencement, operation and restoration of an anthracite coal refuse reprocessing operation in Mahanoy Township, **Schuylkill County** affecting 42.1 acres, receiving stream: North Mahanoy Creek, classified for the following use: CWF. Application received December 16, 2004.

Noncoal Applications Received

Effluent Limits

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

| <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 ¹ | | greater than 6.0; | less than 9.0 |

¹ 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 W. Laurel Boulevard, Pottsville, PA 17901, (570) 621-3118.

66880301T and NPDES Permit No. PA0594229. Reading Materials, Inc., (P. O. Box 1467, Skippack, PA 19474), transfer of an existing quarry operation from Wyoming Sand & Gravel, Inc. and renewal of NPDES Permit for discharge of treated mine drainage in Falls Township, **Wyoming County** affecting 328.6 acres, receiving stream: Buttermilk Creek, classified for the following use: cold water fishery. Application received December 20, 2004.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water

Quality Certification have been received by the Department of Environmental Protection (Department). Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the State to certify that the involved projects will not violate the applicable provisions of sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Persons objecting to approval of a request for certification under section 401 of the FWPCA or to the issuance of a Dam Permit, Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment must submit comments, suggestions or objections within 30 days of the date of this notice, as well as questions, to the regional office noted before the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. Individuals will be notified, in writing,

of the time and place of a scheduled hearing or conference concerning the certification request to which the comment, objection or suggestion relates. Maps, drawings and other data pertinent to the certification request are available for inspection between 8 a.m. and 4 p.m. on each working day at the regional office noted before the application.

Persons with a disability who wish to attend a hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the specified program. TDD users 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 of the FWPCA (33 U.S.C.A. § 1341(a)).

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E17-403. Karthaus Township, HC Box 6, 367 Market Street, Karthaus, PA 16845. T-748 Bridge Replacement, Karthaus Township, **Clearfield County**, ACOE Baltimore District (Karthaus, PA Quadrangle N: 21.6 inches; W: 15.2 inches).

To remove an existing bridge superstructure and to construct, operate and maintain a single span concrete box beam bridge to carry T-748 (Oak Hill Road) across Mosquito Creek: a HQ-CWF. The bridge across Mosquito Creek shall be constructed with a minimum span of 82 feet, width of 43.5 feet and an underclearance of 16 feet. All construction and future repair work shall be completed during stream low flow. All in-stream structures shall be constructed in dry work conditions by dams and pumping or fluming stream flow around work areas. Construction of the bridge will permanently impact 75 feet of Mosquito Creek while temporarily impacting 828 square feet of wetland that is located along the northern right-of-way of SR 0879 approximately 60 feet west of T-748 and SR 0879 intersection. The 828 square feet of wetland impacts are deemed de minimus, as such the applicant will not be required to mitigate the impacts with replacement wetlands.

E18-383. Renovo Borough, 128 Fifth Street, Renovo, PA 17764. Water Line Relocation, in Renovo Borough, **Centre County**, ACOE Baltimore District (Renovo East, PA Quadrangle N: 14.75 inches; W: 14.81 inches).

To relocate and concrete encase an 8-inch diameter line 100 feet upstream from its current location next to a SR 120 bridge, due to the proposed replacement of the bridge. The water line will cross 78 feet of the channel bed. The project proposes to temporarily impact 30 linear feet of the run and permanently impact 5 linear feet of Paddy Run, which is classified as an Exceptional Value stream. The project will not impact any wetlands.

E18-384. Western Clinton County Municipal Authority, P. O. Box 363, Renovo, PA 17764. State Route 0120, Section A01 Sanitary Sewer Line Relocation in Renovo Borough, **Clinton County**, ACOE Baltimore District (Renovo East, PA Quadrangle N: 14.59 inches; W: 14.15 inches).

To relocate and concrete encase an existing PVC sanitary sewer line 100 feet upstream from its current location next to the SR 120 bridge, due to the proposed replacement of the bridge. The sewer line will cross 68 feet of the channel bed. The project proposes to temporarily impact 30 linear feet of Paddy Run and permanently impact 5 linear feet of Paddy Run that is classified as an Exceptional Value stream. The project will not impact any wetlands.

E49-282. Milton Area Industrial Development Association, One South Arch Street, Milton, PA 17847. Standard Joint Water Obstruction and Encroachment Permit, in Milton Borough, **Northumberland County**, ACOE Susquehanna River Basin District (Milton, PA Quadrangle N: 18.1 inches; W: 14.1 inches). This application was mistakenly published as an action at 34 Pa.B. 6709 (December 18, 2004).

To develop in accordance with the attached plans to develop Phase II of the Belford addition, which encompasses approximately 50 acres of land. The development will include new roadways, road reconstruction, and utility line extension. The project will permanently impact 1.15 acres of forested nontidal wetlands for the widening of Marsh Road and 0.49 acre of emergent nontidal wetlands for a new road (across wetland No. 14). The project will also disturb 138 linear feet of stream to place two 41-foot box culverts and a 42-foot arch culvert in UNTs; and temporarily impact 4,185 square feet of wetlands and 75 linear feet of stream for utility line crossings and placement of stormwater piping. The applicants stated purpose is to accommodate the growing needs of the local economy by providing developable lots to eliminate the current traffic patterns through the nearby town of Montandon, Milton Borough, Northumberland County.

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

E02-1478. Jefferson Hills Borough, 925 Old Clairton Road, Jefferson Hills, PA 15025. To construct a culvert in Jefferson Hills Borough, **Allegheny County**, Pittsburgh ACOE District. (Glassport, PA Quadrangle N: 12.3 inches; W: 12.7 and Latitude: 40° 19' 4"—Longitude: 79° 57' 58"). The applicant proposes to construct and maintain a 8' x 8' concrete box culvert (depressed 1') approximately 296 feet long within a tributary to Lick Run (TSF) for a proposed roadway to connect to two residential developments known as Jefferson Estates and Hunters Field. The new street will be known as Frank Street. The total stream impact from this project is approximately 296 feet to a tributary to Lick Run.

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

E62-403. William T. Krahe, Echo Warren Associates, L. P., 701 Alpha Drive Pittsburgh, PA 15238. Warren County Retail Center, in Conewango Township, **Warren County**, ACOE Pittsburgh District (Russell, PA Quadrangle N: 1.0 inches; W: 3.5 inches).

The applicant proposes to construct a commercial development consisting of a Wal-Mart (204,000 square feet), a home improvement center (111,000 square feet), 81,000 square feet of additional retail shops and associated parking immediately NW of the intersection of U. S. Route 62 (Market Street Extension) and SR 69 (Jackson Run Road) involving 1) to fill 0.62 acre of PEM wetland, 2) to restore 1.01 acres of wetland onsite and to enhance 0.56 acre of existing wetland onsite and 3) to construct and maintain a 3-foot diameter HDPE stormwater outfall

discharging to Jackson Run. The project proposes to directly affect 0.62 acre of PEM wetlands and to restore 1.01 acres of wetland onsite and to enhance 0.56 acre of existing wetland onsite. Jackson Run is a perennial stream with a wild trout designation and classified as a CWF.

ENVIRONMENTAL ASSESSMENTS

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

D14-111EA. Jake Eckenrode, 310 Wallace Run Road, Bellefonte, PA 16823. Boggs Township, **Centre County**, ACOE Baltimore District.

Project proposes to breach and remove an unnamed dam located across Wallace Run (EV) for the purpose of eliminating a threat to public safety and restoring the stream to a free flowing condition. The dam is located along Wallace Run Road approximately 2,000 feet West of the intersection of Gum Stump Road (T810) and SR 144, west of the town of Gum Stump. (Bellefonte, PA Quad-range N: 18.95 inches; W: 14.8 inches).

ACTIONS

THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

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

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

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

Sections I—VI contain actions related to industrial, animal or sewage wastes discharges, discharges to groundwater and discharges associated with municipal separate storm sewer systems (MS4), stormwater associated with construction activities and concentrated animal feeding operations (CAFOs). Section VII contains notices for parties who have submitted NOIs for coverage under general NPDES permits. The approval for coverage under general NPDES permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions set forth in each general permit. The approval of coverage for land application of sewage sludge or residential septage under applicable general permit is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions set forth in the respective permit. Permits and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted before the action.

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

I. NPDES Renewal Permit Actions

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

| <i>NPDES No. (Type)</i> | <i>Facility Name & Address</i> | <i>County & Municipality</i> | <i>Stream Name (Watershed #)</i> | <i>EPA Waived Y/N</i> |
|----------------------------------|---|--------------------------------------|--------------------------------------|---------------------------|
| PA0216364 Industrial Waste | Center Township Water Authority 224 Center Grange Road Aliquippa, PA 15001 | Beaver County Center Township | Rag Run | Y |
| PA0096521 Sewage | Bureau of State Parks Ohiopyle State Park P. O. Box 195 Dinnerbell Road Ohiopyle, PA 15470-0105 | Fayette County Stewart Township | Meadow Run | Y |
| PA0216208 Sewage | John F. Kotun 319 Anderson Hozak Road Clinton, PA 15026 | Beaver County Raccoon Township | Swale to UNT of Service Creek | Y |

II. New or Expanded Facility Permits, Renewal of Major Permits and EPA Nonwaived Permit Actions**III. WQM Industrial Waste and Sewerage Actions under The Clean Streams Law (35 P. S. §§ 691.1—691.1001)**

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

WQM Permit No. WQG016105, Sewerage, **Steven and Kim Sowinski**, 1502 Winners Cup Circle, St. Charles, IL 60174. This proposed facility is located in East Huntingdon Township, **Westmoreland County**.

Description of Proposed Action/Activity: Construction of a single residence sewage treatment plant to serve the Sowinski residence.

IV. NPDES Stormwater Discharges from MS4 Permit Actions**V. NPDES Waiver Stormwater Discharges from MS4 Actions**

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

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> | <i>DEP Protocol (Y/N)</i> |
|-----------------------------|---|---------------|---------------------|--------------------------------|-------------------------------|
| PAG136360 | Brownstown Borough 350 Habicht Street Johnstown, PA 15906 | Cambria | Brownstown Borough | NA | NA |
| PAG136362 | Franklin Borough Municipal Building 1125 Main Street Johnstown, PA 15909 | Cambria | Franklin Borough | NA | NA |

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

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

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-----------------------------|---|---------------|------------------------------|--|
| PAI011504034 | Rouse/Chamberlin Homes Providence Hill Subdivision 500 Exton Commons Exton, PA 19341 | Chester | East Fallowfield Township | UNT West Branch Brandywine Creek (EV-MF-WWF) |

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

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-----------------------------|---|-------------------|--|---|
| PAI041404011 | DCNR Bureau of Forestry 15187 Renovo Rd. Renovo, PA 17764-9521 | Centre Clinton | Curtin Township Beech Creek Township | W. Br. Big Run EV |
| PAI041804002 | Sheri L. Franz Dominion Transmission Inc. 445 West Main St. Clarksburg, WV 26301 | Clinton | Leidy, E. Keating & Chapman Townships | Young Womens Creek-HQ-CWF Kettle Creek-EV |

Cambria District: Environmental Program Manager, 286 Industrial Park Road, Ebensburg, PA 15931-4119.

NPDES

| Permit No. | Applicant Name & Address | County | Municipality | Receiving Water/Use |
|--------------|--|--------|--------------------|---|
| PAI090404003 | Bureau of Abandoned Mine Reclamation Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119 | Beaver | Big Beaver Borough | Jordan Run tributary to North Fork of Little Beaver Creek, HQ-CWF |

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

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

List of NPDES and/or Other General Permit Types

| | |
|-------------|--|
| PAG-1 | General Permit for Discharges from Stripper Oil Well Facilities |
| PAG-2 | General Permit for Discharges of Stormwater Associated with Construction Activities (PAR) |
| PAG-3 | General Permit for Discharges of Stormwater from Industrial Activities |
| PAG-4 | General Permit for Discharges from Single Residence Sewage Treatment Plants |
| 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 |
| PAG-7 | General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application |
| PAG-8 | General Permit for Beneficial Use of Nonexceptional 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 | CAFOs |
| PAG-13 | Stormwater Discharges from MS4 |

General Permit Type—PAG-2

| Facility Location & Municipality | Permit No. | Applicant Name & Address | Receiving Water/Use | Contact Office & Phone No. |
|---|---------------|---|-----------------------------|--|
| Chadds Ford Township Delaware County | PAG2002304039 | Newlin Homes 1657 Warpath Road West Chester, PA 19382 | UNT Harvey Run (WWF, MF) | Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900 |
| Upper Gwynedd Township Montgomery County | PAG2004604140 | Erb-Mascio Builders Gwynedd Meadows Subdivision 2930 Felton Road Norristown, PA 19401 | UNT Wissahickon Creek | Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900 |
| Limerick Township Montgomery County | PAG2004604128 | Limerick Township Municipal Authorities King Road WWTP 529 King Road P. O. Box 29 Royersford, PA 19468 | UNT Schuylkill River | Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900 |
| Bridgeport Borough Montgomery County | PAG2004604204 | County of Montgomery Fish Passage Facilities at Norristown Dam P. O. Box 311 Norristown, PA 19404 | Schuylkill River | Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900 |

| <i>Facility Location & Municipality</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office & Phone No.</i> |
|---|-------------------|---|--|---|
| Collegeville Borough Montgomery County | PAG2004604029 | Lower Perkiomen Valley Regional Sewer Authority 5 River Road Oaks, PA 19456 | Perkiomen Creek | Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900 |
| Lower Frederick Township Montgomery County | PAG2004604206 | James P. and Lora K. Krier 207 Meng Road Schwenksville, PA 19473 | Mine Run | Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900 |
| Hazle Township and Black Creek Township Luzerne County | PAG2024004001 | Eagle Rock Resort Co. 1031 Valley of Lakes Hazleton, PA 18201 | Black Creek, CWF; Tomhicken Creek, CWF; Stoney Creek, CWF; Sugarloaf Creek, CWF | Luzerne County Conservation District (570) 674-7991 |
| Washington Township Lehigh County | PAG2003904029 | William Markson Barry Follweiler 3372 Jordan Rd. Orefield, PA 18069 | Mill Creek, CWF, MF | Lehigh County Conservation District (610) 391-9583 |
| Walker Township Schuylkill County | PAG2005404023 | John Brulia Maurer & Scott P. O. Box 20843 Lehigh Valley, PA 18002-0843 | Schuylkill River and Wabash Creek, CWF | Schuylkill County Conservation District (570) 622-3742 |
| East Union Township Schuylkill County | PAG2005404036 | First Quality Nonwovens, Inc. 101 Green Mountain Rd. Hazleton, PA 18201 | Tomhicken Creek, CWF | Schuylkill County Conservation District (570) 622-3742 |
| Douglass Township Berks County | PAG2-0006-04-104 | Robert Sharp 411 Old Philadelphia Pike Douglassville, PA 19518 | Schuylkill River/WWF | Berks County Conservation District 1238 County Welfare Road P. O. Box 520 Leesport, PA 17110 |
| Amity Township Berks County | PAG2-0006-04-117 | David Hope American Crane & Equipment 531 Old Swede Road Douglassville, PA 19518 | Schuylkill River/WWF | Berks County Conservation District 1238 County Welfare Road P. O. Box 520 Leesport, PA 17110 |
| Tioga County Nelson Township | PAG2005904009 | Dept. of Transportation District 3-0 P. O. Box 218 Montoursville, PA 17754 | UNT Cowanesque River-WWF | Tioga County Conservation District 29 East Ave. Wellsboro, PA 16901 (570) 724-1801 |
| Mercer County Hempfield Township | PAG2-0043-04-019 | Diane L. Fry Gordons Auto Sales Inc. 62 Hadley Road Greenville, PA 16125 | UNT to Little Shenango River-TSF | Mercer Conservation District (724) 662-2242 |
| Hazle Township, Luzerne County | PAG21140002 | DEP-BAMR 2 Public Square 5th Floor Wilkes-Barre, PA 18711-0790 | Cranberry Creek / CWF | DEP-BAMR 2 Public Square 5th Floor Wilkes-Barre, PA 18711-0790 (570) 826-2371 |

General Permit Type—PAG-3

Facility Location:

| <i>Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office & Phone No.</i> |
|--------------------------------------|-------------------|---|--------------------------------|--|
| Eddystone Borough Delaware County | PAR310001 | Baker Petrolite Corp 301 Saville Ave. Eddystone, PA 19061 | Delaware River-3G Watershed | Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5970 |

General Permit Type—PAG-4

Facility Location

| <i>County & Municipality</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office & Phone No.</i> |
|---|-------------------|---|---|---|
| Allegheny County Franklin Park Borough | PAG046135 | Luz M. Turgeman 6112 Riverfront Drive Pittsburgh, PA 15238 | UNT to East Branch Big Sewickley Creek | Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000 |
| Allegheny County Marshall Township | PAG046200 | John G. Kraynik 221 Oak Creek Lane Baden, PA 15005 | UNT of Big Sewickley Creek | Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000 |
| Westmoreland County Derry Township | PAG046201 | Bruce E. Horton 141 State Park Road New Alexandria, PA 15670 | UNT of Keystone Lake | Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000 |
| Allegheny County West Deer Township | PAG046287 | Keith Gray 36 Werner Camp Road Pittsburgh, PA 15238 | Deer Creek | Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000 |
| Westmoreland County East Huntingdon Township | PAG046296 | Steven and Kim Sowinski 1502 Winners Cup Circle St. Charles, IL 60174 | UNT of Jacobs Creek | Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000 |

General Permit Type—PAG-13

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

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> | <i>DEP Protocol (Y/N)</i> |
|-------------------------|--|---------------|---------------------|----------------------------|---------------------------|
| PAG133613 | Lebanon City 400 S. Eighth St. Lebanon, PA 17042 | Lebanon | Lebanon City | Quittapahilla Creek/TSF | Y/N |

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> | <i>DEP Protocol (Y/N)</i> |
|-------------------------|---|---------------|---------------------------|---|---------------------------|
| PAG133652 | Springfield Township 9211 Susquehanna Trail Seven Valleys, PA 17360 | York | Springfield Township | Fishel Creek/WWF Foust Creek/WWF Sears Run/WWF | Y |
| PAG133703 | Myerstown Borough 101 E. Washington Ave. Myerstown, PA 17067 | Lebanon | Myerstown Borough | Tulpehocken/CWF | Y |
| PAG133697 | Lebanon County 400 S. Eighth St. Rm. 207 Lebanon, PA 17402 | Lebanon | Lebanon City | Quittapahilla Creek/TSF | Y |
| PAG133679 | North Lebanon Township 725 Kimmerlings Rd. Lebanon, PA 17046 | Lebanon | North Lebanon Township | Swatara Creek/CWF | Y |
| PAG133695 | Jonestown Borough 37 W. Market St. Jonestown, PA 17038-9628 | Lebanon | Jonestown Borough | Swatara Creek/WWF Little Swatara Creek/WWF | Y |
| PAG133702 | West Lebanon Township 322 N. 22nd St. Lebanon, PA 17046 | Lebanon | West Lebanon Township | UNT to Swatara/WWF | Y |
| PAG136358 | Fairchance Borough 125 West Church Street Fairchance, PA 15436 | Fayette | Fairchance Borough | Georges Creek/WWF Muddy Run/WWF | Y |
| PAG136361 | East Conemaugh Borough 355 First Street Johnstown, PA 15909 | Cambria | East Conemaugh Borough | Little Conemaugh River/WWF UNT of Little Conemaugh River/CWF | Y |
| PAG136363 | Forward Township 500 Liggett Avenue Monongahela, PA 15063 | Allegheny | Forward Township | Monongahela River/WWF Kelly Run/WWF Sunfish Run/WWF Beckets Run/WWF Fallen Timber Run/WWF | Y |

PUBLIC WATER SUPPLY (PWS) PERMITS

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

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of

itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17).

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

| | |
|--|---|
| Permit No. 4604506 , Public Water Supply. | |
| Applicant | Pottstown Borough Authority 100 East High Street Pottstown, PA 19464 |
| Township | Lower Pottsgrove |
| County | Montgomery |
| Type of Facility | PWS |

Consulting Engineer BCM Engineers
920 Germantown Pike
Plymouth Meeting, PA 19462

Permit to Construct December 16, 2004
Issued

Operations Permit issued to: **North Coventry Water Authority**, P. O. Box 394, Pottstown, PA 19464, (PWSID 1150220) North Coventry Township, **Chester County** on December 17, 2004 for the operation of facilities approved under construction permit No. 1504507.

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

Operations Permit issued to: **Deer Haven, LLC**, 41 Elm Street, Suite 1C, Morristown, NJ 07960 (PWSID 2520110) Palmyra Township, **Pike County** on December 13, 2004 for the operation of facilities approved under construction permit No. 5298501.

Operations Permit issued to: **Hazleton City Authority (Water Department)**, 400 East Arthur Gardner Parkway, Hazleton, PA 18201 (PWSID 2408011) Sugarloaf Township (Village of Tomhicken), **Luzerne County** on December 16, 2004 for the operation of facilities approved under construction permit No. 4000503.

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

Permit No. 2804505, Public Water Supply.

| | |
|-----------------------------|---|
| Applicant | Washington Township Municipal Authority |
| Municipality | Washington Township |
| County | Franklin |
| Type of Facility | Construction of water distribution lines and a 0.144 mgd booster pump station to serve the proposed 40-unit Edgewood Estates development. |
| Consulting Engineer | Merle J Holsinger, P. E. Civil Planning & Design 1800 East Main Street Waynesboro, PA 17268 |
| Permit to Construct Issued: | 12/7/2004 |

Operations Permit issued to: **Pennsylvania American Water Company**, 3060069, Spring Township, **Berks County** on 12/8/2004 for the operation of facilities approved under Construction Permit No. 0604507.

Operations Permit issued to: **Pennsylvania American Water Company**, 3060088, Exeter Township, **Berks County** on 12/14/2004 for the operation of facilities approved under Construction Permit No. 0604508 MA.

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

Operations Permit issued to: **Greenville Borough Municipal Authority**, 44 Clinton St., Greenville, PA 16125, PWSID 6430037, West Salem Township, **Mercer County**, on December 17, 2004, for the interior and exterior painting of the 0.255 mg West Main Street Storage Tank, as approved under Construction Permit No. 2884-MA1.

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 this Commonwealth.

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

WA 67-62C, Water Allocations. York Water Company, York County. Expansion of service area to include the additional areas of Spring Grove Borough and small sections of Jackson and North Codorus Townships, **York County**. Consulting Engineer: Ryan M. Ural, P. E., The York Water Company. Permit Issued: 12/22/2004.

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location: Bethlehem Commerce Center

| Borough or Township | Borough or Township Address | County |
|---------------------|---|-------------|
| City of Bethlehem | City Hall 10 East Church Street Bethlehem, PA 18018 | Northampton |

Plan Description: The Plan provides for construction of a sewer line extension to serve the proposed Bethlehem Commerce Center located on the former Bethlehem Steel Plant Property, fronting on Hellertown Road (PA Route 412) in the City of Bethlehem. The proposed sanitary improvements include an 18-inch PVC gravity sewer and appurtenances that will extend approximately 1,100 feet from an existing 27-inch City of Bethlehem sewer line along PA Route 412. The proposed sewer will run parallel to PA Route 412 to an intersection with Commerce Center Boulevard. The new 18-inch sewer will then run approximately 4,200 linear feet along the proposed Commerce Center Boulevard. The existing 27-inch City of Bethlehem sewer line connects to a 36-inch interceptor at a point near the intersection of PA Route 412 (Hellertown Road) and Shimersville Road. The 36-inch interceptor travels along Shimersville Road until entering the City's Wastewater Treatment Plant. The sewer line is sized to handle an average daily flow of 2.2 million gallons per day at ultimate build-out. Any required WQM Permits must be obtained in the name of the municipality or authority as appropriate.

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

Plan Location:

| Borough or Township | Borough or Township Address | County |
|----------------------|---|--------|
| Brush Creek Township | 1792 Layton Road Warfordsburg PA 17267 | Fulton |

Plan Description: The approved plan provides for a private treatment plant to serve a 69 acre boys ranch with flows of 4,400 gallons per day. The Department's review of the sewage facilities planning module has not identified any significant environmental impacts resulting from this proposal. Required NPDES Permits or WQM Permits must be obtained in the name of the owners.

SEWAGE FACILITIES ACT PLAN DISAPPROVAL

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

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

Plan Location:

| Borough or Township | Borough or Township Address | County |
|---------------------|---|------------|
| Morris Township | R. R. 2, Box 157A Morrisdale, PA 16858 | Clearfield |
| Rush Township | P. O. Box 152 Philipsburg, PA 16866 | Centre |

Plan Description: This plan proposed construction by the Municipal Authority of the Township of Morris a sewer extension to serve 271 existing equivalent dwelling units in Morris and Rush Townships. Treatment of the collected wastewater was proposed at the existing Moshannon Valley Joint Sewer Authority STP, which is currently organically and organically overloaded. An alternative studied in the update, but not selected, would have utilized a less expensive low pressure collection system, and it would have directed the majority of the collected flow to an existing treatment facility with available capacity in Cooper Township. The plan was disapproved because it would have unnecessarily directed flow to the overloaded treatment facility, and because the high cost project selected did not appear to be affordable, thus the update did not propose an implementable solution to problems identified.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 2

The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.908).

Provisions of Chapter 3 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, shall also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media; benefits of refuse of the property and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated

substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

The Department has received the following plans and reports:

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

Wilden Nuss Property, College Township, **Centre County**, Groundwater & Environmental Services, Inc., 410 Eagleview Blvd., Suite 100, Exton, PA 19341 has submitted a Final Report concerning soil contaminated with fuel oil no.2. This Final Report is intended to demonstrate attainment of the Statewide Health Standard.

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

Lexington Avenue, City of Pittsburgh, **Allegheny County**. Gary Ballesteros, Esq., Rockwell Automation, Inc., 777 East Wisconsin Avenue, Suite 1400, Milwaukee, WI 53202 (on behalf of Urban Redevelopment Authority of Pittsburgh, 200 Ross Street, Pittsburgh, PA 15219, University of Pittsburgh, B-50 Benedum Hall, Pittsburgh, PA 15261, and Blasland, Bouck, & Lee, Inc., 600 Waterfront Drive, Pittsburgh, PA 15222-4741) has submitted a Final Report concerning remediation of site soil and groundwater contaminated with PCBs, Heavy Metals, BTEX, PAHs, Pesticides and VOCs. The Final Report is intended to document remediation of the site to meet the Site Specific Standard.

Rite Aid (Indiana Site), Borough of Indiana, **Indiana County**. Steven R. Vedder, BL Companies, 830 Sir Thomas Court, Harrisburg, PA 17109 (on behalf of Robert Lerner, Rite Aid Corporation, 30 Hunter Lane, Camp Hill, PA 17011) has submitted a Final Report, concerning remediation of site soil and groundwater contaminated with leaded gasoline, unleaded gasoline and MTBE. The report is intended to document remediation of the site to meet the Background and Statewide Health Standards.

210 Oliphant Road (David Kennedy Residence), Georges Township, **Fayette County**. David Socks, Marshall Miller & Associates, Inc., 3913 Hartzdale Drive, Suite 1306, Camp Hill, PA 17011 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.

Pittsburgh Tube Company Facility (Former), City of Monaca, **Beaver County**. William G. Weir, Civil & Environmental Consultants, Inc., 333 Baldwin Road, Pittsburgh, PA 15205 (on behalf of Beaver County Corporation for Economic Development, 250 Insurance Street, Suite 300, Beaver PA 15009, and Pittsburgh Tube Company, 600 Clubhouse Drive Suite 200, Moon Township, PA 15108-3195) has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with PCBs, Lead, Heavy Metals, Solvents Antimony,

Arsenic, Copper and Selenium. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Wimmer Scrap Facility (Former), Etna Borough, **Allegheny County**. Wendy Noe, American Geosciences, Inc., 3925 Reed Blvd., Suite 400, Murrysville, PA 15668-1848 (on behalf of Marco Pompeo, Etna Properties, LLP, 2201 Main Street, Pittsburgh, PA 15215) has submitted a Baseline Environmental Report concerning the remediation of site soil contaminated with heavy metals, and PCBs. The report is intended to document remediation of the site to meet the Special Industrial Area Requirements.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.908).

Provisions of 25 Pa. Code § 250.8, administration of the Land Recycling and Environmental Remediation Standards Act (act), require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by provisions of the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media, benefits of refuse of the property and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by provisions of the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the Environmental Cleanup Program manager in the Department regional office before which the notice of the plan or report appears. If information

concerning a final report is required in an alternative form, contact the Community Relations Coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

Dana Structural Solutions International-Division, Reading City, **Berks County**. MACTEC Engineering and Consulting, Inc., 5205 Militia Hill Road, Plymouth Meeting, PA 19462, on behalf of Dana Structural Solutions International-Division, Robeson and Weiser Streets, Reading PA 19612-3459, submitted a Final Report concerning remediation of site soils and groundwater contaminated with PCBs, lead, heavy metals, BTEX, PHCs, PAHs and solvents. The final report demonstrated attainment of a combination of the Statewide Health and Site-specific standards, and was approved by the Department on December 20, 2004.

Former Myers and List Site, Wrightsville Borough, **York County**. BL Companies, 830 Sir Thomas Court, Harrisburg, PA 17109, on behalf of Glenn Myers, P. O. Box 303, Wrightsville, PA 17368, submitted a Final Report concerning remediation of site soils and groundwater contaminated with leaded gasoline, unleaded gasoline, and MTBE. The final report demonstrated attainment of a combination of the Statewide Health and Site-specific standards, and was approved by the Department on December 20, 2004.

Bamberger's Inc., City of Lebanon, **Lebanon County**. BL Companies, 830 Sir Thomas Court, Harrisburg, PA 17109, on behalf of Rite Aid of Pennsylvania, Inc., 30 Hunter Lane, Camp Hill, PA 17011, submitted a Remedial Investigation Report/Work Plan concerning remediation of site soils and groundwater contaminated with gasoline and BTEX. The applicant is seeking attainment of a Site-specific standard. The Remedial Investigation Report/Work Plan was approved December 21, 2004.

Laurel Springs Condominiums, Exeter Township, **Berks County**. Synergy Environmental, Inc., 607 Washington Street, Reading, PA 19601, on behalf of Laurel Homeowners Association, 625A East Neversink Road, Reading, PA 19606, submitted a Final Report concerning remediation of site soils and groundwater contaminated with heating oil. The final report demonstrated attainment of the Statewide Health standard, and was approved by the Department on December 22, 2004.

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

Osram Sylvania Frost Reclaim Area, Wellsboro Township, **Tioga County**, Civil & Environmental Consultants, Inc., Four Triangle Lane, Suite 200, Export, PA 15632-9255, on behalf of Osram Sylvania Products Inc., One Jackson Street, Wellsboro, PA 16901 has submitted a Final Report concerning soil contaminated with hydrofluoric acid glass etching solution. This Final Report demonstrated attainment of the Site-specific Standard and was approved by the Department on December 2, 2004.

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

Flood City Brass (Former), Johnstown, **Cambria County**. Martin Knuth, Civil & Environmental Consult-

ants, Inc., 333 Baldwin Road, Pittsburgh, PA 15205 (on behalf of Deborah Walter, Johnstown Redevelopment Authority, 401 Washington Street, Johnstown, PA 15901) has submitted a Baseline Environmental Report soil and groundwater contaminated with Lead, Other Organics, PAH and PCB. The Baseline Environmental Report was approved by the Department on October 18, 2004

Works Garage, North Union Township, **Fayette County**. Joe Miller, Chambers Environmental Group, Inc., 629 East Rolling Ridge Drive, Bellefonte, PA 16823 (on behalf of Paula Works, Works Garage, 305 Craig Lane, Hopwood, PA 15455, and Jessica Mangus, Intern, 629 East Rolling Ridge Drive, Bellefonte, PA 16823) has submitted a Final Report concerning remediation of site soil contaminated with leaded and unleaded gasoline, chlorinated solvents, PAHs and other organics. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on November 24, 2004.

LTV Southside Works (Parcel F3), City of Pittsburgh, **Allegheny County**. Martin Knuth, Civil & Environmental Consultants, Inc., 333 Baldwin Road, Pittsburgh, PA 15205 (on behalf of Urban Redevelopment Authority, 200 Ross Street, Pittsburgh, PA 15219, and 3000 Sidney Street Associates LLC., c/o Colliers Penn, 223 Fourth Ave., Pittsburgh, PA 15222) has submitted a Final Report concerning the remediation of site soil contaminated with chlorinated solvents, PCBs, PAHs, other organics and inorganics. The Final Report demonstrated attainment of the Site Specific Standard and was approved by the Department on October 21, 2004.

Legionville Hollow Site, Baden, Economy and Harmony Boroughs **Beaver County**. David P. Pusateri, Esquire, McGuire Woods, LLP, Dominion Tower, 23rd Floor, 625 Liberty Avenue, Pittsburgh, PA 15222 (on behalf of Robertson CECO Corporation, c/o Carolyn Johnson, Controller, Star Building Systems, 8600 South I-35, Oklahoma City, OK 73149) has submitted a Final Report concerning remediation of site soil, surface water and groundwater contaminated with heavy metals. The Final Report demonstrated attainment of the Statewide Health and Site-Specific Standards and was approved by the Department on November 19, 2004.

LTV Southside Works (Parcel B1A), City of Pittsburgh, **Allegheny County**. Martin Knuth, Civil & Environmental Consultants, Inc., 333 Baldwin Road, Pittsburgh, PA 15205 (on behalf of Urban Redevelopment Authority, 200 Ross Street, Pittsburgh, PA 15219, and 2600 East Carson Street Associates, LP, 400 Penn Centre Blvd., Suite 211, Pittsburgh, PA 15222) has submitted a Final Report concerning the remediation of site soil contaminated with chlorinated solvents, PCBs, PAHs, other organics and inorganics. The Final Report demonstrated attainment of the Site Specific Standard and was approved by the Department on November 16, 2004.

Aliquippa Tin Mill (Former), City of Aliquippa, **Beaver County**. Jason R. Cashmere, Trant Corporation, 11676 Perry Highway, Wexford Prof. Bldg. 3, Suite 3100 (on behalf of Dick Dorothy, C. J. Betters Enterprises, 3468 Brodhead Road, Monaca, PA 15061) has submitted a Baseline Remedial Investigation Work Plan concerning remediation of site soil and groundwater contaminated with heavy metals, PCBs, inorganics and other organics. The Work Plan was approved by the Department on September 28, 2004. The Work Plan is intended to direct characterization of the site to meet the Special Industrial Area Requirements.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Determination of applicability for General Permit issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and 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 No. WMGR068D001. Scrubgrass Generating Co., L. P., 2151 Lisbon Rd., Kennerdell, PA 16374. For the beneficial use as a fuel of the following carbonaceous wastes: petroleum coke, uncontaminated, untreated wood chips and other paper and wood industry wastes comprised primarily of wood fibers, as alternate fuels to be combined with waste coal/coal to produce specification fuel for circulating fluidized bed boilers; and the beneficial use of the resulting ash generated by co-firing the approved alternative fuels with waste coal/coal, for the beneficial uses authorized for coal ash in accordance with 25 Pa. Code §§ 287.661—287.666 (relating to beneficial use of coal ash). The Department approved the determination of applicability on December 21, 2004.

Persons interested in reviewing the general permit may contact the General Permits and Beneficial Use Section, Division of Municipal and Residual Waste, P. O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7381. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Permits issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and regulations to operate solid waste processing or disposal area or site.

Southeast Region: Regional Solid Waste Manager, 2 East Main Street, Norristown, PA 19401.

Permit No. 101549. Bucks County Resource Recovery Inc., 701 Penn Ave, Marcus Hook PA 19061, Marcus Hook Borough, **Delaware County**. Permit reissued from Safety Disposal Systems of Pennsylvania, Inc. to Bucks County Resource Recovery Inc. The reissuance action also approved a Radiation Protection Action Plan, which was pending under a separate application. The permit was reissued by the Southeast Regional Office on December 23, 2004.

Permit revoked under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and regulations to operate solid waste processing or disposal area or site.

Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

Permit No. 603270 Leslie L. McMullen, 10 Colonial Avenue, Millersville, PA 17551-1416. The permit was

revoked at the request of the permittee for the Ranck Farm No. 44, Chanceford Township, **York County**. The permit was revoked by the Southcentral Regional Office on December 21, 2004.

Persons interested in reviewing the general permit may contact Cynthia Wolfe, File Review Coordinator, Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4732. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

Consent Order and Agreement executed under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations for the post closure care of a hazardous waste landfill.

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

Permit ID No. PAD000805028. Bet-Tech International, Inc., 3469 Broadhead Road, Monaca, PA 15061. For the post closure care of hazardous waste landfill at Bet-Tech's Blacks Run site in Hopewell Township, **Beaver County**. Consent Order and Agreement executed in the Regional Office on December 15, 2004.

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.

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

48-310-051GP3: Brubacher Excavating, Inc. (825 Reading Road, P. O. Box 528, Bowmansville, PA 17507) on December 21, 2004, to construct and operate a portable stone crushing plant and associated air cleaning device at their facility in Bethlehem Township, **Northampton County**.

40-302-150GP1: State Correctional Institution—Dallas (1000 Follies Road, Dallas, PA 18612) on December 21, 2004, to construct and operate a No. 2 oil fired boiler at their facility in Jackson Township, **Luzerne County**.

48-310-052GP3: Essroc Cement Corp. (Route 248 and Easton Road, Nazareth, PA 18064) on December 20, 2004, to construct and operate a portable stone screening operation and associated air cleaning device at their facility in Upper Nazareth Township, **Northampton County**.

Plan Approvals Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.

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

35-322-008: Environmental and Recycling Services, Inc. (1100 Union Street, Taylor, PA 18517) on

December 10, 2004, to install an air cleaning device at their facility in Taylor Borough, **Lackawanna County**.

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

ERC 61-00020: Honeywell International—Emlenton Plant (Route 446, Smethport, PA 16749) on November 22, 2004, for approved emission reduction credits in Emlenton Borough, **Venango County**.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401; Thomas McGinley, New Source Review Chief, (484) 250-5920.

23-0001S: Sunoco, Inc.—R and M (100 Green Street, P. O. Box 426, Marcus Hook, PA 19061) on December 22, 2004, to operate a boiler and heater in Marcus Hook Borough, **Delaware County**.

46-0005M: Merck and Co., Inc. (Sumneytown Pike, P. O. Box WP20, West Point, PA 19486) on December 22, 2004, to operate a natural gas-fired combustion turbine in Upper Gwynedd Township, **Montgomery County**.

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

65-302-071: Koppers Industries, Inc. (436 Seventh Avenue, Pittsburgh, PA 15219) on December 17, 2004, for two boilers at Monessen Coke Works in Monessen Borough, **Westmoreland County**.

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

20-295A: Baillie Lumber Co. (45529 State Highway Route 27 East, Titusville, PA 16354) on December 16, 2004, to construct a wood-fired boiler to generate process steam for their facility in Oil Creek Township, **Crawford County**.

Title V Operating Permits Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter G.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401; Edward Jurdon Brown, Facilities Permitting Chief, (484) 250-5920.

46-00045: PECO Energy Co. (300 Front Street, West Conshohocken, PA 19428) on December 22, 2004, to operate a facility Title V Operating Permit in West Conshohocken Borough, **Montgomery County**.

46-00198: Blommer Chocolate Co. (P. O. Box 45, 1101 Blommer Drive, East Greenville, PA 18041) on December 16, 2004, to modify the operation of a facility Title V Operating Permit in Upper Hanover Township, **Montgomery County**.

Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401; Edward Jurdones Brown, Facilities Permitting Chief, (484) 250-5920.

46-00202: Elan Drug Delivery, Inc. (3500 Horizon Drive, King of Prussia, PA 19406) on December 16, 2004, to operate a Natural Minor Operating Permit in Upper Merion Township, **Montgomery County**.

09-00010: TEVA Pharmaceuticals USA, Inc. (650 Cathill Road, Sellersville, PA 18960) on December 16, 2004, to operate a Synthetic Minor Operating Permit in West Rockhill Township, **Bucks County**.

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

65-00143: Hanson Aggregates PMA, Inc. (2200 Springfield Pike, Connellsville, PA 15425) on December 8, 2004, for their Torrance Sand and Gravel Plant in Derry Township, **Westmoreland County**.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481; Eric Gustafson, Facilities Permitting Chief, 814-332-6940.

25-00979: National Fuel Gas Supply Corp. (Follette Road, Corry, PA 16407) on November 22, 2004, to re-issue a Natural Minor Permit to perform natural gas transmission at the Carter Hill compressor station located in Wayne Township, **Erie County**.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the request for 401 Water Quality Certification and the NPDES permit application. Mining activity permits issued in response to the applications will also address the application permitting requirements of the following statutes: the Air Quality Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

Coal Permits Actions

California District Mining Office: 25 Technology Drive, Coal Center, PA 15423, (724) 769-7100.

10841302. NPDES Permit No. PA0002780, Pristine Resources, Inc., (3250 Interstate Drive, Richfield, OH 44286), to transfer the permit for the Fawn Mine No. 91 in Clinton Township, **Butler County** from BethEnergy Mines, Inc. No additional discharges. Permit issued December 20, 2004.

11890701. NPDES Permit No. PA0009890, RNS Services, Inc., (7 Riverside Plaza, P. O. Box 38, Blossburg, PA 16912), to renew the permit for the No. 20 Refuse Site in East Carroll Township, **Cambria County** and related NPDES Permit. No additional discharges. Permit issued December 22, 2004.

30921601. NPDES Permit No. PA0214060, River Processing Corporation, (P. O. Box 1020, 158 Portal Road, Waynesburg, PA 15370), to transfer the permit for the Monongahela Resource Tipple in Jefferson Township, **Greene County** and related NPDES permit from RAG River Processing Corporation. No additional discharges. Permit issued December 22, 2004.

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

65810113 and NPDES Permit No. PA0615668. M. B. Energy, Inc. (P. O. Box 1319, Indiana, PA 15701). NPDES renewal issued for continued treatment of discharges at a bituminous surface mining site located in Cook and Donegal Townships, **Westmoreland County**, affecting 103.8 acres. Receiving streams: unnamed tributary to Four Mile Run to Loyalhanna Creek. Application received: October 21, 2004. NPDES Renewal issued: December 22, 2004.

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

33030108. Falls Creek Energy Co., Inc. (R. D. 6, Box 231, Kittanning, PA 16201) Revision to an existing bituminous strip and auger operation to add 5.5 acres in Beaver Township, **Jefferson County**. Total SMP acreage is now 97.8 acres. Receiving streams: Unnamed tributary to Sandy Lick Creek. Application received: August 15, 2004. Permit Issued: December 15, 2004.

Moshannon District Mining Office: 186 Enterprise Drive, Phillipsburg, PA 16866, 814-342-8200.

17-04-03—Whitetail Contracting (P. O. Box 220, Woodland, PA 16881). The Moshannon District Office for the Department of Environmental Protection awarded a Government Financed Construction Contract to Whitetail Contracting on October 28, 2004, that will result in incidental coal removal necessary to accomplish reclamation of an abandoned mine land site affecting 6.3 acres. The site is located in Karthaus Township, **Clinton County**. Under the terms of the contract no reprocessing of the coal refuse may take place and no coal refuse materials may be returned to the site once removed. The contract requires total reclamation and revegetation of the project area. This project was made possible under a program developed by the Department which allows for expedited removal and reclamation of old coal refuse piles which are generally eyesores as well as major sources of siltation and pollution to the streams of the Commonwealth. Application received: July 6, 2004. Permit issued: October 28, 2004.

Noncoal Permits Actions

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

10990302. Quality Aggregates, Inc. (202 Neville Rd., Pittsburgh, PA 15225) Renewal of NPDES Permit No. PA0241598 in Marion Township, **Butler County**. Receiving streams: UNT to North Branch Slippery Rock Creek and unnamed tributary to Blacks Creek. Application received: October 26, 2004. Permit Issued: December 16, 2004.

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

58040844. Matthew Shaddock (R. R. 1 Box 1545, Lawton, PA 18828), commencement, operation and restoration Bluestone Quarry operation in Rush Township, **Susquehanna County** affecting 5.0 acres, receiving

stream: North Branch of Wyalusing Creek. Application received July 13, 2004. Permit issued December 21, 2004.

6276SM6C3 and NPDES Permit No. PA0595365. Donegal Rock Products, LLC, (P. O. Box 10, Rheems, PA 17570), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in West Donegal Township, **Lancaster County**, receiving stream: UNT to Donegal Creek. Application received October 7, 2004. Renewal issued December 23, 2004.

6172SM6C6 and NPDES Permit No. PA0223484. Bear Gap Stone, Inc., (R. R. 1 Box 138, Elysburg, PA 17824), renewal of NPDES Permit for discharge of treated mine drainage from quarry operation in Ralpho Township, **Northumberland County**, receiving stream: UNT to South Branch Roaring Creek. Application received November 5, 2004. Renewal issued December 23, 2004.

8073SM1C7 and NPDES Permit No. PA0614602. Highway Materials, Inc., (1750 Walton Road, Blue Bell, PA 19422), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Marlborough Township, **Montgomery County**, receiving stream: Unami Creek. Application received November 5, 2004. Renewal issued December 23, 2004.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 (43 P. S. §§ 151–161) and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

Blasting Permits Actions

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

02044009. Wampum Hardware Company (636 Paden Road, New Galilee, PA 16141). Blasting activity permit for construction at Kelly Run Landfill, located in Forward Township, **Allegheny County**, with an expected duration of 120 days. Blasting permit issued: December 22, 2004.

Moshannon District Mining Office: 186 Enterprise Drive, Phillipsburg, PA 16866, (814) 342-8200.

08044003. Great Lakes Geophysical, Inc. (P. O. Box 127, Williamsburg, MI 49690), for construction blasting, located in Wells Township, **Bradford County**, with an expected duration of 5 days beginning in January, 2004. Permit issued: December 20, 2005.

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

36044126. Keystone Blasting Services, (381 Reifsnnyder Road, Lititz, PA 17543), construction blasting for a house in East Donegal Township, **Lancaster County** with an expiration date of December 30, 2004. Permit issued December 17, 2004.

28044104. Hall Explosives, Inc., (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting for Thornwood Village & Estates in Southampton Township, **Franklin County** with an expiration date of December 30, 2005. Permit issued December 20, 2004.

09044044. AMROC, (7531 Chestnut Street, Zionsville, PA 18092), construction blasting at Richland Township

Water Tank in Richland Township, **Bucks County** with an expiration date of April 10, 2005. Permit issued December 21, 2004.

21044072. Fitz & Smith, Inc., (483 East Locust Street, Dallastown, PA 17313), construction blasting at United Rentals in Upper Allen Township, **Cumberland County** with an expiration date of December 31, 2005. Permit issued December 21, 2004.

66044101. Hayduk Enterprises, (P. O. Box 554, Dalton, PA 18414), construction blasting for Hayduk Enterprises in Lemon Township, **Wyoming County** with an expiration date of December 31, 2005. Permit issued December 22, 2004.

28044105. R & M Excavating, (403 Hilltop Road, Newburg, PA 17240), construction blasting for Park Place South in Shippensburg Borough, **Franklin County** with an expiration date of March 18, 2005. Permit issued December 22, 2004.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department of Environmental Protection (Department) has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with the applicable provisions of sections 301-303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311–1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501–508 and 701–704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1–693.27), section 302 of the Flood Plain Management Act (32 P. S. § 679.302)

**and The Clean Streams Law (35 §§ 691.1—691.702)
and Notice of Final Action for Certification under
section 401 of the FWPCA (33 U.S.C.A. § 1341).**

*Permits, Environmental Assessments and 401 Water
Quality Certifications Issued*

**WATER OBSTRUCTIONS AND
ENCROACHMENTS**

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

E08-417. Smithfield Township Supervisors, P. O. Box 27, East Smithfield, PA 18817. Culvert replacement in Smithfield Township, **Bradford County**, ACOE Baltimore District (Ulster, PA Quadrangle N: 18.3 inches; W: 10.9 inches).

To: 1) remove the existing arch corrugated steel arch pipe which has a span of 8 feet 2 inches and a rise of 5 feet 9 inches; 2) construct and maintain a 40 foot long, 8 foot 7 inch by 5 foot 11 inch ACMP culvert with a waterway opening of 40 square feet in an unnamed tributary to Sugar Creek on T-623 about 0.8 mile south of the intersection of T-623 with Riggs Road; and 3) place R-5 riprap 24 inches deep 6 feet by 10 feet long by 10 feet wide at the outlet end of the pipe. The project will not impact wetlands while impacting about 60 feet of waterway. Sugar Creek is a WWF stream.

This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E12-153. Delvin Cole, 27 Beyers Street, Clearfield, PA 16830. Floodway fill in Lumber Township, **Cameron County**, ACOE Baltimore District.

To construct and maintain: 1) 18' by 12' by 10' pressure treated lumber pavilion with a metal roof; 2) 10' by 10' by 10' pressure treated lumber storage shed; 3) A roof over existing 31' by 8' camper; 4) To fill a 30' by 100' long trapezoidal shaped depression with gravel, covered with topsoil and stabilized with grass seed; 5) Install and maintain a 1,000 gallon water storage tank.

The previously listed facilities are in the 100 year floodplain while about 1/2 of the depression is within the 50' floodway of Driftwood Branch of Sinnemahoning Creek. The project is located 7.5 miles east of Emporium on the west side of SR 120 across from the Country Club (Cameron, PA Quadrangle N: 11.25 inches; W: 8.3 inches) in Lumber Township, Cameron County.

The project will not impact waterways or wetlands while impacting about 3,500 square feet of earth. Driftwood Branch is a trout stocked fisheries. This permit was issued under Section 105.13(e) "Small Projects."

E49-277. Milton Regional Sewer Authority, P. O. Box 433, Milton, PA 17847. Milton Wastewater Collection Expansion, in West Chillisquaque Township, **Northumberland County**, ACOE Baltimore District, located at centroid (Northumberland, PA Quadrangle N: 19.55 inches; W: 14.92 inches).

To construct, operate and maintain one pump station within the floodway and one pump station within the floodplain and approximately 50,000 linear feet of 8-inch force mains and approximately 42,496 linear feet of 8-inch gravity sanitary sewer line within the Susquehanna River watershed (WWF) for the treatment of municipal wastewater. Construction of the sanitary sewer lines will require one stream and three wetland crossings that are as follows:

| <i>Service area</i> | <i>Wetland impacts (ft²)</i> | <i>Stream impacts (ft)</i> |
|---------------------|---|----------------------------|
| East Lewisburg | 2,016 | 22 |
| Sodom Road | 16,000 | |
| Milton Center East | 24,480 | |
| Total | 42,496 | 22 |

All sewer line crossings shall be constructed with a minimum of 3 feet of cover with concrete encasement beneath the waterways. Trench plugs or clay dikes shall be used at every sewer line crossing a waterway or wetland to ensure the hydrology of the streams or wetland is not altered. The project will temporarily impact 1 acre of jurisdictional wetlands and 22 feet of waterway. The project is located within Milton Borough and West Chillisquaque Township, Northumberland County. The project does not propose to permanently impact any jurisdictional wetlands.

E53-406. Nicolo Tamburo, Two Monaco Avenue, Elmont, NY 11003. Construct, operate and maintain a private bridge across a contributory flood channel associated to First Fork-Sinnemahoning Creek in Wharton Township, **Potter County**, ACOE Baltimore District (Wharton, PA Quadrangle N: 8.2 inches; W: 3.3 inches).

To remove an existing structure and construct, operate and maintain a private single span bridge across a contributory flood channel associated to First Fork-Sinnemahoning Creek. The private single span bridge shall be constructed with a minimum clear span of 38-feet, width of 12-feet and underclearance of 6-feet. Bridge construction and maintenance shall be completed during stream low flow. Since First Fork-Sinnemahoning Creek is a stocked trout fishery, no construction or future repair work shall be done in or along the stream channel between March 1 and June 15 without prior written approval of the Fish and Boat Commission. The bridge construction project is located along the western right-of-way of SR 0872 approximately 1.2-miles north of SR 3001 and SR 0872 intersection. This permit does not authorize any temporary or permanent impacts to wetlands that are associated to the flood channel; as such the permittee shall take all precautions necessary to prevent any impact to wetlands. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

E03-427. Manor Housing Limited Partnership IV, 4415 Fifth Avenue, Pittsburgh, PA 15213. To fill wetland in Manor Township, **Armstrong County**, Pittsburgh ACOE District. (Kittanning, PA Quadrangle N: 6.7 inches; W: 2.4 inches and Latitude: 40° 47' 13"—Longitude: 79° 31' 32"). To place and maintain fill in a de minimus area of wetland equal to 0.046 acre as part of developing a 20 unit senior housing apartment community. The project is located off of Valley Drive.

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

E62-400. Eldred Township, R. D. 2, Box 123A, Pittsfield, PA 16340. Eldred Township Wastewater Treatment Plant and Conveyance System, in Eldred Township, **Warren County**, ACOE Pittsburgh District (Grand Valley, PA Quadrangle N: 17.2 inches; W: 5.9 inches).

The applicant proposes to construct and maintain a wastewater treatment system and conveyance systems within Eldred Township, Warren County having a total of approximately 20,000 lineal feet of 8-inch PVC plastic

gravity line, 3-inch pressure line, 2-inch pressure line and 1.5-inch pressure line involving 1) to construct and maintain an 8-inch diameter PVC plastic sewage treatment plant effluent outfall pipe discharging to Caldwell Creek, 2) to cross approximately 4,137 lineal feet of PSS and PFO wetland with 16 crossings by sewer lines using directional bore, and 3) to cross Caldwell Creek (HQ-CWF), unnamed tributaries to Caldwell Creek (HQ-CWF), and Dunderdale Creek (HQ-CWF) with 10 crossings by sewer lines using directional bore.

ENVIRONMENTAL ASSESSMENTS

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

EA67-009: Raymond Melato, York College: West Campus Project, 439 Country Club Road, York, PA 17405-7199, Spring Garden Township, **York County**, ACOE Baltimore District.

To remove an existing stream enclosure and construct and maintain a 5-foot by 5-foot concrete box culvert, with a 6-inch depression below the streambed, measuring 74 linear feet and restore 180 linear feet of open channel of an unnamed tributary to Codorus Creek (WWF) on the York College West Campus (York, PA Quadrangle N: 12.41 inches; W: 15.84 inches) in Spring Garden Township, York County.

Central Office: Bureau of Waterways Engineering, Rachel Carson State Office Building, Floor 3, 400 Market Street, Harrisburg, PA 17105-8457.

D11-075EA. Highland Sewer and Water Authority, 120 Tank Drive, Johnstown, PA 15904, Portage Township, **Cambria County**, ACOE Pittsburgh District.

Project proposes to breach and remove Bens Creek Intake Dam across Bens Creek (EV) to eliminate a threat to public safety and to restore the stream to a free flowing condition. The dam is located approximately 1 mile Southeast of the town of Bens Creek. (Cresson, PA Quadrangle N: 3.4 inches; W: 16.0 inches).

D11-019EA. Highland Sewer and Water Authority, 120 Tank Drive, Johnstown, PA 15904. Adams and Summerhill Townships, **Cambria County**, ACOE Pittsburgh District.

Project proposes to breach and remove Lloydell Intake Dam across South Fork Little Conemaugh River (HQ-CWF) to eliminate a threat to public safety and to restore the stream to a free flowing condition. The dam is located approximately 3/4 of a mile Southeast of the town of Lloydell. (Beaverdale, PA Quadrangle N: 10.10 inches; W: 8.15 inches).

EA15-026CO. Natural Lands Trust, Binky Lee Preserve, 1445 Pikeland Road, Chester Springs, PA 19425. West Pikeland Township, **Chester County**. ACOE Philadelphia District.

Project proposes to breach and remove Binky Lee Preserve Dam across a tributary to Pickering Creek (HQ-TSF) for the purpose of restoring the stream to a free flowing condition. The dam is located approximately 1,400 feet southeast of the intersection of SR 0113 and Pikeland Road (T488) (Malvern, PA Quadrangle N: 17.85 inches; W: 14.80 inches).

SPECIAL NOTICES

Categorical Exclusion

Southwest Regional Office, Water Management Program Manager, 400 Waterfront Drive, Pittsburgh PA 15222-4745.

Location: Village of Colver, Cambria Township Sewer Authority, P. O. Box 247, Revloc, PA 15948.

Description: The Pennsylvania Infrastructure Investment Authority (Authority) which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. The Authority proposes to renovate and increase the peak capacity of the Colver Sewage Treatment Plant and replace portions of the associated sewer system. The Department of Environmental Protection's (Department) 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.

BUREAU OF DEEP MINE SAFETY

Request for Variance

The Department of Environmental Protection (Department), Bureau of Deep Mine Safety (Bureau), has received a request for variance from RoxCoal, Inc. The following notification contains a summary of this request. A complete copy of the variance request may be obtained from Allison Gaida at (724) 439-7469 or from the Bureau's website at www.dep.state.pa.us/dep/deputate/minres/dms/dms.htm. The Department is publishing a summary of the request in order to solicit comments from affected parties on the proposed variance request. Comments may be used by the Bureau to assist in its investigation of the variance request. Comments will be accepted for 30 days following the publication of this notice. Comments should be addressed to Joseph A. Scaffoni, Director, Bureau of Deep Mine Safety, Fayette County Health Center, 100 New Salem Road, Room 167, Uniontown, PA 15401.

Section 702 of the Pennsylvania Bituminous Coal Mine Act (act) (53 P.S. §701-702) provides a mechanism for operators to obtain variances from specific requirements of the act to accommodate the adoption of new machinery, equipment, tools, supplies, methods or processes.

Section 242(c) of the act (53 P.S. §701-242(c)) states that where belt conveyors are installed, main stoppings and regulators shall be so arranged as to reduce the quantity of air traveling in the belt conveyor entry to a minimum for effective ventilation and to provide an intake air split as an escapeway from the face area to the main air current.

Summary of the Request: RoxCoal, Inc. requests a variance to use point carbon monoxide early warning fire detection system and entries in common with the belt conveyor entry at the Roytown Mine.

Request for Comment and Notice of Public Meeting for the Proposed Total Maximum Daily Load (TMDL) Developed for Aylesworth Creek, Lackawanna County

The Department of Environmental Protection (Department) and the Susquehanna River Basin Commission are holding a public meeting on January 25, 2005, at 7 p.m. at the Dickson City Borough Hall, Dickson City, PA. The purpose of the meeting is to discuss and accept comments on the proposed TMDL developed for Aylesworth Creek in Lackawanna County. In accordance with the requirements of section 303(d) of the Clean Water Act, several stream segments in the watershed have been identified as impaired due to high levels of metals and low pH as a result of acid mine drainage.

The proposed TMDL sets allowable loadings for iron, manganese, aluminum and acidity in the Aylesworth

Creek in order for the stream to meet water quality standards. The TMDL sets allowable loading rates for metals and acidity at specified points in the watershed. All of the allocations made in the TMDL are load allocations made to nonpoint sources of pollution. The basis of information used in establishment of the TMDL is field data collected from 1993 to 2003.

The data and all supporting documentation used to develop the proposed TMDL are available from the Department. The proposed TMDL and information on the TMDL program can be viewed on the Department's website, www.dep.state.pa.us/watermanagement_apps/tmdl. To request a copy of this TMDL, contact Chuck Yingling, PADEP, Water Quality Assessment and Standards, 400 Market Street, P. O. Box 8467, Harrisburg, PA 17105, (717) 783-2958.

Written comments will be accepted at the previously listed address and must be postmarked by March 9, 2005. The Department will consider all comments in developing the final TMDL, which will be submitted to United States Environmental Protection Agency for approval.

Request for Comment and Notice of a Public Meeting for the Proposed Total Maximum Daily Load (TMDL) Developed for Bear Run in Clearfield, Indiana and Jefferson Counties

The Department of Environmental Protection (Department) and the Susquehanna River Basin Commission are holding a public meeting on February 7, 2005, at 7 p.m. at the Banks Township Municipal Building, Rossiter, PA. The purpose of the meeting is to discuss and accept comments on the proposed TMDL developed for Bear Run in Clearfield, Indiana and Jefferson Counties. In accordance with the requirements of section 303(d) of the Clean Water Act, several stream segments in the watershed have been identified as impaired due to high levels of metals and low pH as a result of acid mine drainage.

The proposed TMDL sets allowable loadings for iron, manganese, aluminum and acidity in Bear Run for the stream to meet water quality standards. These loading rates are determined for specified points in the watershed. Most of the allocations made in the TMDL are to nonpoint sources of pollution; however, there are several allocations made to permitted mining operations and one future mining operation. The basis of information used in establishment of the proposed TMDL is field data collected from 1998 to 2003.

The data and all supporting documentation used to develop the proposed TMDL are available from the Department. The proposed TMDL and information on the TMDL program can be viewed on the Department's website, www.dep.state.pa.us/watermanagement_apps/tmdl. To request a copy of this proposed TMDL, contact Chuck Yingling, PADEP, Water Quality Assessment and Standards, 400 Market Street, P. O. Box 8467, Harrisburg, PA 17105, (717) 783-2958.

Written comments will be accepted at the previously listed address and must be postmarked by March 9, 2005. The Department will consider all comments in developing the final TMDL, which will be submitted to United States Environmental Protection Agency for approval.

Request for Comment and Notice of a Public Meeting for the Proposed Total Maximum Daily Load (TMDL) Developed for the Bens Creek Watershed in Cambria County.

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931.

The Department of Environmental Protection (Department) is holding a public meeting on January 18, 2005, beginning at 6:30 p.m. at the Portage Municipal Water Authority Building, Portage, PA to discuss and accept comments on a proposed TMDL. The proposed TMDL was established in accordance with the requirements of the 1996 section 303(d) of the Clean Water Act. One stream segment in the Bens Creek Watershed has been identified as impaired on the Commonwealth's 1996, 1998 and 2002 section 303(d) lists due to high concentrations of metals and siltation. The listed segment and miles degraded are shown in the following table:

| <i>Stream Code</i> | <i>Stream Name</i> | <i>Miles Degraded</i> |
|-----------------------------------|--------------------|-----------------------|
| 46908 (Segment 20010917-1000-ALF) | Bens Creek | 0.7 |

The proposed plan provides calculations of the stream's total capacity to accept metals (aluminum, iron, and manganese) and pH and maintain levels below water quality criteria. The applicable water quality criteria are as follows:

| <i>Parameter</i> | <i>Criterion value (mg/l)</i> | <i>Total Recoverable/Dissolved</i> |
|------------------|-------------------------------|------------------------------------|
| Aluminum | 0.75 | Total Recoverable |
| Iron | 1.5 | Total Recoverable |
| Manganese | 1.00 | Total Recoverable |
| pH | 6.0-9.0 | NA |

The primary pollutant source for the watershed is abandoned mine workings. This watershed was heavily mined for coal in the 20th century. The effects of this are still present. The TMDL consists of load allocations, which are made to nonpoint sources of pollution.

The TMDL was developed using Monte Carlo Simulation to determine long-term average concentrations that each stream segment could accept and still meet water quality criteria 99% of the time. Monte Carlo Simulation allows for the expansion of a dataset based on its statistical makeup. Since there was no critical flow condition where criteria were exceeded, the Department used the average flow to express the loading values in the TMDL.

The TMDL sets allowable loading rates for metals, sediment and acidity at specified points in the watershed. The basis of information used in the establishment of this TMDL is field data collected throughout 2001.

The data and all supporting information used to develop the proposed TMDL are available from the Department. To request a copy of the proposed TMDL and an information sheet, contact Tom Pongrac at (814) 472-1900 between 8 a.m. and 3 p.m., Monday through Friday, at Cambria District Mining Office, 286 Industrial Park Road, Ebensburg, PA 15931. E-mail will be received at tpongprac@state.pa.us. Directions to the meeting place can also be obtained through this contact.

The TMDL can be viewed and printed by accessing the Department's website at www.dep.state.pa.us (PA Keyword: TMDL).

Written comments will be accepted at the previously listed address and must be postmarked by March 9, 2005. Persons who plan to make a presentation at the public meeting should notify the Department no later than 3 p.m. Friday, January 14th. The Department will consider all comments in developing the final TMDL, which will be submitted to the United States Environmental Protection Agency for approval.

Request for Comment and Notice of Public Meeting for the Proposed Total Maximum Daily Loads (TMDLs) Developed for Curleys Run, Grimes Run and Sandy Creek in Clearfield County

The Department of Environmental Protection (Department) and the Susquehanna River Basin Commission are holding a public meeting on February 2, 2005, at 7 p.m. at the Karthaus Fire Hall, Karthaus, PA. The purpose of the meeting is to discuss and accept comments on the proposed TMDLs developed for Curleys Run, Grimes Run and Sandy Creek in Clearfield County. In accordance with the requirements of section 303(d) of the Clean Water Act, stream segments in the Curleys Run and Grimes Run watersheds have been identified as impaired due to high levels of metals and siltation as a result of acid mine drainage. Several stream segments in Sandy Creek have been determined to be impaired by high levels of metals and low pH as a result of acid mine drainage.

The proposed TMDL sets allowable loadings for iron, manganese, aluminum and acidity in Curleys Run, Grimes Run and Sandy Creek in order for the streams to meet water quality standards. The TMDLs set allowable loading rates for metals and acidity at specified points in the watersheds. All of the allocations made in the TMDLs are load allocations made to nonpoint sources of pollution. The basis of information used in establishment of the TMDLs is field data collected from 1994 to 2004 for Curleys Run TMDL; from 1996 to 2004 for the Grimes Run TMDL; and from 2001 to 2002 for the Sandy Creek TMDL.

The data and all supporting documentation used to develop the proposed TMDLs are available from the Department. The proposed TMDL and information on the TMDL program can be viewed on Department's website, www.dep.state.pa.us/watermanagement_apps/tmdl/. To request a copy of any of the TMDLs, contact Chuck Yingling, PADEP, Water Quality Assessment and Standards, 400 Market Street, P. O. Box 8467, Harrisburg, PA 17105, (717) 783-2958.

Written comments will be accepted at the previously listed address and must be postmarked by March 9, 2005. The Department will consider all comments in developing the final TMDL, which will be submitted to United States Environmental Protection Agency for approval.

Request for Comment and Notice of a Public Meeting for the Proposed Total Maximum Daily Load (TMDL) Developed for Dents Run in Elk and Cameron Counties

The Department of Environmental Protection (Department) and the Susquehanna River Basin Commission are holding a public meeting as part of the Bennett Branch Watershed Association meeting on February 3, 2005, at 7 p.m. at the Benazette Community Building, Benazette, PA. The purpose of the meeting is to discuss and accept comments on the proposed TMDL developed for Dents Run in Elk and Cameron Counties. In accordance with the requirements of section 303(d) of the Clean Water Act several stream segments in the watershed have been identified as impaired due to high levels of metals and low pH as a result of acid mine drainage.

The proposed TMDL sets allowable loadings for iron, manganese, aluminum and acidity in Dents Run in order for the stream to meet water quality standards. These loading rates are determined for specified points in the watershed. Most of the allocations made in the TMDL are load allocations that are made to nonpoint sources of pollution; however, there is one waste-load allocation to a

permitted mining operation. The basis of information used in establishment of the proposed TMDL is field data collected from 1998 to 2003.

The data and all supporting documentation used to develop the proposed TMDL are available from the Department. The proposed TMDL and information on the TMDL program can be viewed on the Department's website (www.dep.state.pa.us/watermanagement_apps/tmdl/). To request a copy of this proposed TMDL, contact: Chuck Yingling, PADEP, Water Quality Assessment and Standards, 400 Market Street, P. O. Box 8467, Harrisburg, PA 17105, (717) 783-2958.

Written comments will be accepted at the previously listed address and must be postmarked by March 9, 2005. The Department will consider all comments in developing the final TMDL, which will be submitted to United States Environmental Protection Agency for approval.

Request for Comment and Notice of Public Meeting for the Proposed Total Maximum Daily Load (TMDL) Developed for Grassy Island Creek, Lackawanna County

The Department of Environmental Protection (Department) and the Susquehanna River Basin Commission are holding a public meeting on January 25, 2005, at 7 p.m. at the Dickson City Borough Hall, Dickson City, PA. The purpose of the meeting is to discuss and accept comments on the proposed TMDL developed for Grassy Island Creek in Lackawanna County. In accordance with the requirements of section 303(d) of the Clean Water Act, several stream segments in the watershed have been identified as impaired due to high levels of metals and low pH as a result of acid mine drainage.

The proposed TMDL sets allowable loadings for iron, manganese, aluminum and acidity in the Grassy Island Creek in order for the stream to meet water quality standards. The TMDL sets allowable loading rates for metals and acidity at specified points in the watershed. All of the allocations made in the TMDL are load allocations made to nonpoint sources of pollution. The basis of information used in establishment of the TMDL is field data collected during 2002.

The data and all supporting documentation used to develop the proposed TMDL are available from the Department. The proposed TMDL and information on the TMDL program can be viewed on the Department's website, www.dep.state.pa.us/watermanagement_apps/tmdl/. To request a copy of this TMDL, contact Chuck Yingling, PADEP, Water Quality Assessment and Standards, 400 Market Street, P. O. Box 8467, Harrisburg, PA 17105, (717) 783-2958.

Written comments will be accepted at the previously listed address and must be postmarked by March 9, 2005. The Department will consider all comments in developing the final TMDL, which will be submitted to United States Environmental Protection Agency for approval.

Request for Comment and Notice of Public Meeting for the Proposed Total Maximum Daily Load (TMDL) Developed for the Lackawanna River in Lackawanna, Luzerne, Susquehanna and Wayne Counties

The Department of Environmental Protection (Department) and the Susquehanna River Basin Commission are holding a public meeting on January 25, 2005, at 7 p.m. at the Dickson City Borough Hall, Dickson City, PA. The purpose of the meeting is to discuss and accept comments on the proposed TMDL developed for the Lackawanna

River and several tributaries in Lackawanna, Luzerne, Susquehanna and Wayne Counties. In accordance with the requirements of section 303(d) of the Clean Water Act, several stream segments in the watershed have been identified as impaired due to high levels of metals and low pH as a result of acid mine drainage.

The proposed TMDL sets allowable loadings for iron, manganese, aluminum and acidity in the Lackawanna River and selected tributaries in order for the stream to meet water quality standards. The TMDL sets allowable loading rates for metals and acidity at specified points in the watershed. All of the allocations made in the TMDL are load allocations made to nonpoint sources of pollution. The basis of information used in establishment of the TMDL is field data collected from 1983 to 2002.

The data and all supporting documentation used to develop the proposed TMDL are available from the Department. The proposed TMDL and information on the TMDL program can be viewed on the Department's website, www.dep.state.pa.us/watermanagement_apps/tmdl/. To request a copy of this TMDL, contact Chuck Yingling, PADEP, Water Quality Assessment and Standards, 400 Market Street, P. O. Box 8467, Harrisburg, PA 17105, (717) 783-2958.

Written comments will be accepted at the previously listed address and must be postmarked by March 9, 2005. The Department will consider all comments in developing the final TMDL, which will be submitted to United States Environmental Protection Agency for approval.

**Request for Comment and Notice of Public Meeting
for the Proposed Total Maximum Daily Load
(TMDL) Developed for Lick Run in Clearfield
County**

The Department of Environmental Protection (Department) and the Susquehanna River Basin Commission are holding a public meeting on January 27, at 7 p.m. at the Clearfield County Conservation District, 650 Leonard Street, Clearfield, PA. The purpose of the meeting is to discuss and accept comments on the proposed TMDL developed for Lick Run in Clearfield County. In accordance with the requirements of section 303(d) of the Clean Water Act, several stream segments in the watershed have been identified as impaired due to high levels of metals and low pH as a result of acid mine drainage.

The proposed TMDL sets allowable loadings for iron, manganese, aluminum and acidity in Lick Run in order for the stream to meet water quality standards. The TMDL sets allowable loading rates for metals and acidity at specified points in the watershed. All of the allocations made in the TMDL are load allocations made to nonpoint sources of pollution. The basis of information used in establishment of the TMDL is field data collected from 1991 to 2003.

The data and all supporting documentation used to develop the proposed TMDL are available from the Department. The proposed TMDL and information on the TMDL program can be viewed on the Department's website, www.dep.state.pa.us/watermanagement_apps/tmdl/. To request a copy of this TMDL, contact Chuck Yingling, PADEP, Water Quality Assessment and Standards, 400 Market Street, P. O. Box 8467, Harrisburg, PA 17105, (717) 783-2958.

Written comments will be accepted at the previously listed address and must be postmarked by March 9, 2005. The Department will consider all comments in developing the final TMDL, which will be submitted to United States Environmental Protection Agency for approval.

**Request for Comment and Notice of Public Meeting
for the Proposed Total Maximum Daily Load
(TMDL) Developed for Powderly Creek,
Lackawanna County**

The Department of Environmental Protection (Department) and the Susquehanna River Basin Commission are holding a public meeting on January 25, 2005, at 7 p.m. at the Dickson City Borough Hall, Dickson City, PA. The purpose of the meeting is to discuss and accept comments on the proposed TMDL developed for Powderly Creek in Lackawanna County. In accordance with the requirements of section 303(d) of the Clean Water Act, several stream segments in the watershed have been identified as impaired due to high levels of metals as a result of acid mine drainage.

The proposed TMDL sets allowable loadings for iron, manganese and aluminum in the Powderly Creek in order for the stream to meet water quality standards. The TMDL sets allowable loading rates for metals at specified points in the watershed. All of the allocations made in the TMDL are load allocations made to nonpoint sources of pollution. The basis of information used in establishment of the TMDL is field data collected from 2001 to 2002.

The data and all supporting documentation used to develop the proposed TMDL are available from the Department. The proposed TMDL and information on the TMDL program can be viewed on the Department's website, www.dep.state.pa.us/watermanagement_apps/tmdl/. To request a copy of this TMDL, contact Chuck Yingling, PADEP, Water Quality Assessment and Standards, 400 Market Street, P. O. Box 8467, Harrisburg, PA 17105, (717) 783-2958.

Written comments will be accepted at the previously listed address and must be postmarked by March 9, 2005. The Department will consider all comments in developing the final TMDL, which will be submitted to United States Environmental Protection Agency for approval.

**Request for Comment and Notice of Public Meeting
for the Proposed Total Maximum Daily Load
(TMDL) Developed for the Spring Run Watershed in
Cambria County**

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931.

The Department of Environmental Protection (Department) is holding a public meeting on January 18, 2005, beginning at 6:30 p.m. at the Portage Municipal Water Authority Building, Portage, PA to discuss and accept comments on a proposed TMDL. The proposed TMDL was established in accordance with the requirements of the 1996 section 303(d) of the Clean Water Act. One stream segment in the Spring Run Watershed has been identified as impaired on the 1996, 1998 and 2002 section 303(d) lists due to depressed pH and high concentrations of metals. The listed segment and miles degraded are shown in the following table:

| <i>Stream Code</i> | <i>Stream Name</i> | <i>Miles Degraded</i> |
|--------------------|--------------------|-----------------------|
| 46070 (Segment) | Spring Run | 3.1 |
| 20010918-1530-ALF) | | |

The proposed plan provides calculations of the stream's total capacity to accept metals (aluminum, iron and manganese) and pH, and maintain levels below water quality criteria. The applicable water quality criteria are as follows:

| <i>Parameter</i> | <i>Criterion value (mg/l)</i> | <i>Total Recoverable/ Dissolved</i> |
|------------------|-----------------------------------|---|
| Aluminum | 0.75 | Total Recoverable |
| Iron | 1.5 | Total Recoverable |
| Manganese | 1.00 | Total Recoverable |
| PH | 6.0-9.0 | NA |

The primary pollutant source for the watershed is abandoned mine workings. This watershed was heavily mined for coal in the 20th century. The effects of this are still present. The TMDL consists of load allocations, which are made to nonpoint sources of pollution and waste load allocations, which are made to permitted point sources.

The TMDL was developed using Monte Carlo Simulation to determine long-term average concentrations that each stream segment could accept and still meet water quality criteria 99% of the time. Monte Carlo Simulation allows for the expansion of a dataset based on its statistical makeup. Since there was no critical flow condition where criteria were exceeded, the Department used the average flow to express the loading values in the TMDL.

The TMDL sets allowable loading rates for metals, sediment and acidity at specified points in the watershed. The basis of information used in the establishment of this TMDL is field data collected throughout 2001.

The data and all supporting information used to develop the proposed TMDL are available from the Department. To request a copy of the proposed TMDL and an information sheet, contact Miles Baird at (814) 472-1900 between 8 a.m. and 3 p.m., Monday through Friday, at Cambria District Mining Office, 286 Industrial Park Road, Ebensburg, PA 15931. E-mail will be received at mbaird@state.pa.us. Directions to the meeting place can also be obtained through this contact.

The TMDL can be viewed and printed by accessing the Department's website at www.dep.state.pa.us (PA Keyword: TMDL).

Written comments will be accepted at the previously listed address and must be postmarked by March 9, 2005. Persons who plan to make a presentation at the public meeting should notify the Department no later than 3 p.m. Friday, January 14. The Department will consider all comments in developing the final TMDL, which will be submitted to the United States Environmental Protection Agency for approval.

Request for Comment and Notice of Public Meeting for the Proposed Total Maximum Daily Load (TMDL) Developed for Wilson Creek, Lackawanna County

The Department of Environmental Protection (Department) and the Susquehanna River Basin Commission are holding a public meeting on January 25, 2005, at 7 p.m. at the Dickson City Borough Hall, Dickson City, PA. The purpose of the meeting is to discuss and accept comments on the proposed TMDL developed for Wilson Creek in Lackawanna County. In accordance with the requirements of section 303(d) of the Clean Water Act, several stream segments in the watershed have been identified as impaired due to high levels of metals and low pH as a result of acid mine drainage.

The proposed TMDL sets allowable loadings for iron, manganese, aluminum, and acidity in Wilson Creek in order for the stream to meet water quality standards. The TMDL sets allowable loading rates for metals and acidity

at specified points in the watershed. All of the allocations made in the TMDL are load allocations made to nonpoint sources of pollution. The basis of information used in establishment of the TMDL is field data collected from 1991 to 2003.

The data and all supporting documentation used to develop the proposed TMDL are available from the Department. The proposed TMDL and information on the TMDL program can be viewed on the Department's website, www.dep.state.pa.us/watermanagement_apps/tmdl/. To request a copy of this TMDL, contact Chuck Yingling, PADEP, Water Quality Assessment and Standards, 400 Market Street, P. O. Box 8467, Harrisburg, PA 17105, (717) 783-2958.

Written comments will be accepted at the previously listed address and must be postmarked by March 9, 2005. The Department will consider all comments in developing the final TMDL, which will be submitted to United States Environmental Protection Agency for approval.

[Pa.B. Doc. No. 05-61. Filed for public inspection January 7, 2005, 9:00 a.m.]

Technical Advisory Committee on Diesel-Powered Equipment Meeting Cancellation

The meeting of the Technical Advisory Committee on Diesel-Powered Equipment scheduled for Tuesday, January 18, 2005, has been cancelled. The next meeting is scheduled for Tuesday, April 19, 2005, at 10 a.m. in the Fayette County Health Center, Uniontown, PA.

Questions concerning the cancellation of the January 28, 2005, meeting can be directed to Allison Gaida at (724) 439-7289 or agaida@state.pa.us.

The agenda and meeting materials for the April 19, 2005, meeting will be available through the Public Participation Center on the Department of Environmental Protection's (Department) website at www.dep.state.pa.us (DEP Keyword: Participate).

Persons with a disability who require accommodations to attend the April 19, 2005, meeting should contact the Department at (724) 439-7289 or the Pennsylvania AT&T Relay services at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 05-62. Filed for public inspection January 7, 2005, 9:00 a.m.]

Water Resources Advisory Committee Meeting Cancellation

The January 12, 2005, meeting of the Water Resources Advisory Committee has been cancelled. The next scheduled meeting will be held on March 9, 2005, at 9:30 a.m. in the 2nd floor Training Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning the March 9, 2005, meeting can be directed to Bonita Moore at (717) 787-9637 or bmoore@state.pa.us. The agenda and meeting materials for the March 9, 2005, meeting will be available through the Public Participation Center on the Department

of Environmental Protection's (Department) website at www.dep.state.pa.us (DEP Keyword: Participate).

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact the Department at (717) 787-9637 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 05-63. Filed for public inspection January 7, 2005, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of Geisinger Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Geisinger Medical Center has requested an exception to the requirements of 28 Pa. Code §§ 553.1—553.4, 555.1—555.4, 557.2—557.4, 567.2(1) and 553.31(b).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

The facility is requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 05-64. Filed for public inspection January 7, 2005, 9:00 a.m.]

Application of The Surgery Center at Briton Lake, LLC for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that The Surgery Center at Briton Lake, LLC has requested an exception to the requirements of 28 Pa. Code § 571.1 (relating to minimum standards), which requires compliance with minimum standards contained in *Guidelines for Design and Construction of Hospital and*

Healthcare Facilities. The facility specifically requests exemption from the following standard contained in this publication: 9.5.F3(c) (relating to recovery bays).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

The facility is requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 05-65. Filed for public inspection January 7, 2005, 9:00 a.m.]

Decisions on Requests for Exceptions to Health Care Facility Regulations

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), effective June 6, 1998, the Department of Health (Department) has published in the *Pennsylvania Bulletin* all requests by entities licensed under the Health Care Facilities Act (35 P. S. §§ 448.101—448.904b) for exceptions to regulations contained in 28 Pa. Code Part IV, Subparts B—G.

Section 51.33(d) provides that the Department will publish notice of all approved exceptions on a periodic basis. The Department has determined that it will publish notice of all exceptions, both approved and denied. The following list contains the decisions made on exception requests published in the *Pennsylvania Bulletin* from June 1, 2004, through September 30, 2004. Future publications of decisions on exception requests will appear on a quarterly basis.

Requests for additional information on the exception requests and the Department's decision should be made to the relevant division of the Department. Inquiries regarding hospitals and ambulatory surgical facilities shall be addressed to the Division of Acute and Ambulatory Care, Sandra Knoble, Director, P. O. Box 90, Harrisburg, PA 17108. Inquiries regarding long-term care facilities shall be addressed to the Division of Nursing Care Facilities, William Bordner, Chief, P. O. Box 90, Harrisburg, PA 17108. Those persons requiring special assistance for speech and/or hearing impairment should call V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984 (TT).

Exception Requests—Hospitals

| Facility Name | Regulation | Relating to | Request Published | Decision |
|--------------------|-----------------------|-------------------------|-------------------|----------|
| York Hospital | 28 Pa. Code § 51.6(b) | staff identification | 8/21/2004 | granted |
| St. Mary's Medical | 28 Pa. Code § 51.22 | cardiac catheterization | 3/13/2004 | granted |

| <i>Facility Name</i> | <i>Regulation</i> | <i>Relating to</i> | <i>Request Published</i> | <i>Decision</i> |
|---|----------------------------|---|--------------------------|------------------------------------|
| Warren General Hospital | 28 Pa. Code § 51.23 | PET scan services | 11/8/2004 | granted |
| Chambersburg Hospital | 28 Pa. Code § 51.23 | mobile PET scanning | 7/17/2004 | granted |
| Jennersville Regional Hosp | 28 Pa. Code § 51.23 | mobile PET scanning | 8/14/2004 | granted |
| Adler Institute for Advanced Imaging, LLC | 28 Pa. Code § 51.23 | PET scanning services | 8/14/2004 | denied |
| Lehigh Valley Hospital | 28 Pa. Code § 101.4 | definition of practitioner | 9/11/2004 | denied |
| Lehigh Valley Hospital— Muhlenberg | 28 Pa. Code § 101.4 | definition of practitioner | 9/11/2004 | denied |
| Bryn Mawr Rehabilitation Hospital | 28 Pa. Code § 107.2 | medical staff membership—podiatrists | 7/31/2004 | granted |
| Troy Community Hospital | 28 Pa. Code § 107.2 | medical staff membership—podiatrists | 7/31/2004 | granted |
| UPMC Passavant | 28 Pa. Code § 107.2 | medical staff membership | 8/21/2004 | granted |
| UPMC McKeesport | 28 Pa. Code § 107.2 | medical staff membership | 9/4/2004 | granted |
| Suburban General Hospital | 28 Pa. Code § 107.2 | medical staff membership—podiatrists | 9/18/2004 | granted |
| Sunbury Community Hospital | 28 Pa. Code § 107.2 | medical staff membership—podiatrists | 9/11/2004 | granted |
| Kindred Hospital at Heritage Valley | 28 Pa. Code § 107.2 | medical staff membership—podiatrists | 9/18/2004 | granted |
| Western Pennsylvania Hospital | 28 Pa. Code § 107.2 | medical staff membership—podiatrists | 9/18/2004 | granted |
| UPMC South Side | 28 Pa. Code § 107.2 | medical staff membership—podiatrists | 9/18/2004 | granted |
| UPMC Horizon | 28 Pa. Code § 107.2 | medical staff membership—podiatrists | 9/18/2004 | granted |
| St. Vincent Health | 28 Pa. Code § 107.2 | medical staff membership—podiatrists | 10/16/2004 | granted |
| Westmoreland Health System for Frick Hospital and Westmoreland Regional Hospital | 28 Pa. Code § 107.26(b)(2) | tissue committee | 12/20/2004 | withdrawn |
| Nason Hospital | 28 Pa. Code § 107.26(b) | tissue committee | 8/14/2004 | granted |
| Mount Nittany Medical Center | 28 Pa. Code § 107.26(b)(2) | tissue committee meetings | 8/14/2004 | granted |
| Sacred Heart Hospital | 28 Pa. Code § 107.31 | medical staff meetings | 7/31/2004 | denied |
| Select Specialty Hospital Camp Hill and York | 28 Pa. Code § 107.32 | medical staff meetings | 8/9/2004 | withdrawn |
| Sacred Heart Hospital | 28 Pa. Code § 107.32 | meetings and attendance | 7/31/2004 | denied |
| Nason Hospital | 28 Pa. Code § 107.32 | meetings and attendance | 8/14/2004 | granted |
| Wyoming Valley Health Care System Hospital | 28 Pa. Code § 107.61 | written orders—PA's and CRNP's | 6/21/2004 | not necessary |
| UPMC Passavant | 28 Pa. Code § 107.62 | oral orders—radiology techs, occupational therapists, speech therapist, nuclear medicine tech, diagnostic medical | 8/14/2004 | granted in part, denied in part |
| Philipsburg Area | 28 Pa. Code § 107.62 | oral orders—registered dietitians | 8/14/2004 | granted |
| Sharon Regional Health System | 28 Pa. Code § 107.62(b) | oral orders—dietitians and radiology | 9/11/2004 | granted |
| Wyoming Valley Health Care System Hospital | 28 Pa. Code § 109.61 | medication/treatment | 6/21/2004 | not necessary |
| Tyrone Hospital | 28 Pa. Code § 137.21(b)(5) | criteria for oxytocic agents | 9/11/2004 | granted |

| <i>Facility Name</i> | <i>Regulation</i> | <i>Relating to</i> | <i>Request Published</i> | <i>Decision</i> |
|--|--------------------------------------|---|--------------------------|--|
| St. Mary's Medical | 28 Pa. Code § 138.1 | principle—cardiac catheterization | 3/13/2004 | granted |
| Mount Nittany Medical Center | 28 Pa. Code §§ 138.2, 138.15, 138.17 | cardiac catheterization services | 2/14/2004 | denied |
| UPMC Lee Regional | 28 Pa. Code § 138.15 | high-risk cardiac catheterization | 8/14/2004 | denied |
| Meadville Medical | 28 Pa. Code § 138.15 | high-risk cardiac catheterization | 9/4/2004 | denied |
| Indiana Regional Medical Center | 28 Pa. Code § 138.15 | high risk cardiac catheterization | 10/16/2004 | denied |
| Indiana Regional Medical Center | 28 Pa. Code § 138.18(b) | therapeutic | 10/16/2004 | denied |
| Ephrata Community Hospital | 28 Pa. Code § 153.1(c) | minimum standards NFPA life safety code | 10/19/2004 | not necessary |
| St. Joseph Medical Center | 28 Pa. Code § 153.1 | 7.2.B10 examination/treatment room(s); 7.2.B19 showers and bathtubs; 7.2.A6 storage of personal effects; 7.4.A7 workroom(s) in nurseries | 6/26/2004 | granted in part not necessary in part |
| UPMC S. Margaret | 28 Pa. Code § 153.1 | 7.2.A4 handwashing | 7/17/2004 | granted |
| Washington Hospital | 28 Pa. Code § 153.1 | construction standards—7.9.D24 secured holding room | 8/14/2004 | granted |
| Lancaster General Hospital | 28 Pa. Code § 153.1 | construction standards—7.10.H2 cardiac | 8/21/2004 | granted |
| UPMC Passavant | 28 Pa. Code § 153.1 | 9.5.F2c minimum dimension of OR 15' | 9/11/2004 | granted |
| Mount Nittany Medical Center | 28 Pa. Code § 153.1 | 7.2.A4 handwashing stations electrophysiologic | 9/11/2004 | granted |
| Hospital of the University of Pennsylvania | 28 Pa. Code § 153.1 | 7.4.c sq feet per bassinets catheterization procedure room | 10/30/2004 | granted |
| Exception Requests—Ambulatory Surgical Facilities | | | | |
| Gettysburg Hospital Minor Procedure Suite | 28 Pa. Code § 553.31(a) | full time administrator | 8/14/2004 | granted |
| Gastroenterologists Ambulatory Surgical Center at Bucks County Surgery Center | 28 Pa. Code § 569.2(a) | Life Safety Code | 7/17/2004 | denied |
| Wyomissing Hills Podiatric Surgical Center | 28 Pa. Code § 571.1 | Minimum standards—9.2.A8 General storage, 9.2.B7 Clean storage, 9.5.D8 General storage facilities, 9.5.E1 Soiled workroom, 9.5.E2 Clean assembly workroom | 12/20/2004 | granted in part |
| Wyomissing Hills Podiatric Surgical Center | 28 Pa. Code § 571.1 | Minimum standards—9.5.F2 Ambulatory operating room size, 9.5.F5(b) Drug distribution, 9.5.F5(d) Soiled workroom, 9.5.F5(f) Provisions for anesthesia equipment, 9.5.F5(g) Medical gas storage | 12/20/2004 | granted in part |

| <i>Facility Name</i> | <i>Regulation</i> | <i>Relating to</i> | <i>Request Published</i> | <i>Decision</i> |
|--|-----------------------------------|--|--------------------------|-----------------|
| Wyomissing Hills Podiatric Surgical Center | 28 Pa. Code § 571.1 | Minimum standards— 9.5.F5(h) Equipment storage, 9.5.F5(i) Staff clothing change areas, 9.5.F5(k) Stretcher storage area, 9.5.F5(m) Housekeeping room, 9.5.H1(a) Minimum public corridor | 12/20/2004 | granted in part |
| Gastroenterologists Ambulatory Surgical Center at Bucks County Surgery Center | 28 Pa. Code § 571.1 | Table 4.5 Square Footage Program Endoscopy Office Administration areas Main consultation room Audio Visual Library Office/conference; Procedure areas; Service areas; Storage elevators | 7/17/2004 | denied |
| Spinal Care Management | 28 Pa. Code § 571.2(d) and (e) | elevators | 8/9/2004 | granted |
| UPMC Monroeville Surgery Center | 28 Pa. Code § 571.2(d) | elevators | 8/21/2004 | granted |

Exception Requests—Nursing Care Facilities

| | | | | |
|--|---------------------|--------------|-----------|---------|
| Bloomsburg Health Care Center | 28 Pa. Code § 201.2 | requirements | 8/21/2004 | granted |
| Broad Mountain Nursing & Rehab | 28 Pa. Code § 201.3 | definitions | 8/21/2004 | granted |
| Friendship Ridge | 28 Pa. Code § 201.3 | definitions | 6/26/2004 | granted |
| West Haven Nsng. Home | 28 Pa. Code § 201.3 | definitions | 6/26/2004 | granted |
| Hickory House Nsng. Home | 28 Pa. Code § 201.3 | definitions | 6/26/2004 | granted |
| Abington Crest Nursing and Rehab Center | 28 Pa. Code § 201.3 | definitions | 6/26/2004 | granted |
| The Caring Place | 28 Pa. Code § 201.3 | definitions | 6/26/2004 | granted |
| Elk Haven Nsng. Home | 28 Pa. Code § 201.3 | definitions | 6/26/2004 | granted |
| Grove Manor | 28 Pa. Code § 201.3 | definitions | 6/26/2004 | granted |
| Rouse-Warren Ctry. Home | 28 Pa. Code § 201.3 | definitions | 6/26/2004 | granted |
| Fairways @ Brookline | 28 Pa. Code § 201.3 | definitions | 7/10/2004 | granted |
| Valley Manor Nursing & Rehab Ctr. | 28 Pa. Code § 201.3 | definitions | 7/10/2004 | granted |
| Havencrest Nursing Ctr. | 28 Pa. Code § 201.3 | definitions | 7/10/2004 | granted |
| Lafayette Manor, Inc. | 28 Pa. Code § 201.3 | definitions | 7/10/2004 | granted |
| Sugar Creek Rest | 28 Pa. Code § 201.3 | definitions | 7/10/2004 | granted |
| Countryside Convalescent Home Limited Partnership | 28 Pa. Code § 201.3 | definitions | 7/10/2004 | granted |
| Chicora Medical Center | 28 Pa. Code § 201.3 | definitions | 7/10/2004 | granted |
| Westmoreland Manor | 28 Pa. Code § 201.3 | definitions | 7/10/2004 | granted |
| Garvey Manor | 28 Pa. Code § 201.3 | definitions | 7/17/2004 | granted |
| Lackawanna Cty. Health Care Center | 28 Pa. Code § 201.3 | definitions | 7/17/2004 | granted |
| Immaculate Mary Home | 28 Pa. Code § 201.3 | definitions | 7/17/2004 | granted |
| Meadowood | 28 Pa. Code § 201.3 | definitions | 7/17/2004 | granted |
| Meadowcrest Nursing Center | 28 Pa. Code § 201.3 | definitions | 7/31/2004 | granted |
| Beaver Valley Nursing & Rehab Ctr. | 28 Pa. Code § 201.3 | definitions | 7/31/2004 | granted |
| Belair Health & Rehab Ctr. | 28 Pa. Code § 201.3 | definitions | 7/31/2004 | granted |

| <i>Facility Name</i> | <i>Regulation</i> | <i>Relating to</i> | <i>Request Published</i> | <i>Decision</i> |
|---|-------------------------|---|--------------------------|-----------------|
| Eldercrest Nursing Center | 28 Pa. Code § 201.3 | definitions | 7/31/2004 | granted |
| Heritage Nursing Home, Inc. | 28 Pa. Code § 201.3 | definitions | 7/31/2004 | granted |
| Sugar Creek Station Skilled Nsng. & Rehab Complex | 28 Pa. Code § 201.3 | definitions | 7/31/2004 | granted |
| Heatherbank | 28 Pa. Code § 201.3 | definitions | 7/31/2004 | granted |
| Deer Meadows | 28 Pa. Code § 201.3 | definitions | 8/14/2004 | granted |
| York County Nursing Home | 28 Pa. Code § 201.3 | definitions | 10/2/2004 | granted |
| Ohesson Manor | 28 Pa. Code § 201.3 | definitions | 10/2/2004 | granted |
| Centre Crest | 28 Pa. Code § 201.3 | definitions | 10/2/2004 | granted |
| Pennswood Village | 28 Pa. Code § 201.3 | definitions | 10/2/2004 | granted |
| Buffalo Valley Lutheran Village | 28 Pa. Code § 201.3 | definitions | 10/2/2004 | granted |
| The Williamsport Home | 28 Pa. Code § 201.3 | definitions | 10/2/2004 | granted |
| Broad Acres Health & Rehab Ctr. | 28 Pa. Code § 201.3 | definitions | 10/9/2004 | granted |
| Spring Creek Rehab & Health Care Center | 28 Pa. Code § 201.3 | definitions | 10/9/2004 | granted |
| St. Joseph's Manor | 28 Pa. Code § 201.18(e) | management | 7/10/2004 | denied |
| HRH Transitional Care Unit | 28 Pa. Code § 201.18(e) | management | 7/10/2004 | denied |
| Latrobe Area Hosp Transitional Care Center | 28 Pa. Code § 201.18(e) | management | 9/18/2004 | temp grant |
| Frick Hospital Skilled Nursing Unit | 28 Pa. Code § 201.18(e) | management | 9/18/2004 | granted |
| HRH Transitional Care Unit | 28 Pa. Code § 201.22(k) | prevention, control and surveillance of TB | 8/21/2004 | denied |
| ManorCare Health Services—Pottsville | 28 Pa. Code § 205.6(a) | function of building | 6/26/2004 | granted |
| Trinity Living Center | 28 Pa. Code § 205.6(a) | function of building | 6/26/2004 | granted |
| Wesbury United Methodist Comm. | 28 Pa. Code § 205.6(a) | function of building | 6/26/2004 | granted |
| ManorCare Health Svcs.— Bethel Park | 28 Pa. Code § 205.6(a) | function of building | 7/31/2004 | reapplied |
| ManorCare Health Svcs.— McMurray | 28 Pa. Code § 205.6(a) | function of building | 7/31/2004 | granted |
| Manchester Presby Lodge | 28 Pa. Code § 205.6(a) | function of building | 7/31/2004 | granted |
| Presbyterian Lodge | 28 Pa. Code § 205.6(a) | function of building | 7/31/2004 | granted |
| Rouse-Warren County Home | 28 Pa. Code § 205.6(a) | function of building | 8/14/2004 | granted |
| Saint Mary's East | 28 Pa. Code § 205.6(a) | function of building | 8/21/2004 | granted |
| The Health Center at The Hill at Whitemarsh | 28 Pa. Code § 205.6(a) | function of building | 9/18/2004 | granted |
| Friendship Ridge | 28 Pa. Code § 205.6(a) | function of building | 9/18/2004 | granted |
| The Communities at Indian Haven | 28 Pa. Code § 205.6(a) | function of building | 10/9/2004 | granted |
| Meda Nipple Conv. Home | 28 Pa. Code § 205.20(f) | resident bedrooms | 7/31/2004 | granted |
| Bethany Village Retirement Center | 28 Pa. Code § 205.21 | special care room | 8/21/2004 | not necessary |
| Meda Nipple Conv. Home | 28 Pa. Code § 205.23 | location of bedrooms | 5/22/2004 | granted |
| Highlands Care Center | 28 Pa. Code § 205.25(b) | kitchen | 7/17/2004 | granted |
| Meda Nipple Conv. Home | 28 Pa. Code § 205.25(b) | kitchen | 5/22/2004 | granted |
| Meda Nipple Conv. Home | 28 Pa. Code § 205.26(e) | laundry | 5/22/2004 | granted |

| <i>Facility Name</i> | <i>Regulation</i> | <i>Relating to</i> | <i>Request Published</i> | <i>Decision</i> |
|---|--------------------------------|-------------------------|--------------------------|-----------------|
| William Hood Dunwoody Care Center | 28 Pa. Code § 205.26(e) | laundry | 6/26/2004 | granted |
| Naamans Creek Ctry. Manor | 28 Pa. Code § 205.26(e) | laundry | 6/26/2004 | granted |
| Woodland Place | 28 Pa. Code § 205.28(b) | nurses' station | 6/26/2004 | granted |
| Highlands Care Center | 28 Pa. Code § 205.32(a) | janitor closet | 7/17/2004 | temp grant |
| Meda Nipple Conv. Home | 28 Pa. Code § 205.33(c) | utility room | 5/22/2004 | granted |
| Colonial Manor Nursing Home | 28 Pa. Code § 205.36 | bathing facilities | 8/14/2004 | granted |
| Meda Nipple Conv. Home | 28 Pa. Code § 205.36 (c)(g)(h) | bathing | 5/22/2004 | granted |
| The Jewish Home of Eastern Pennsylvania | 28 Pa. Code § 205.36(h) | bathing facilities | 8/21/2004 | granted |
| Bethany Village Retirement Center | 28 Pa. Code § 205.36(h) | bathing facilities | 8/21/2004 | ganted |
| Meda Nipple Conv. Home | 28 Pa. Code § 205.37(d) | equipment for bathrooms | 5/22/2004 | granted |
| Bethany Village Retirement Center | 28 Pa. Code § 205.38 | toilet facilities | 8/21/2004 | granted |
| Brookline Manor & Retirement | 28 Pa. Code § 205.38(b) | toilet facilities | 10/2/2004 | granted |
| Woodland Place | 28 Pa. Code § 205.38(e) | toilet facilities | 6/26/2004 | granted |
| Meda Nipple Conv. Home | 28 Pa. Code § 205.38(e)(f) | toilet facilities | 5/22/2004 | granted |
| Meda Nipple Conv. Home | 28 Pa. Code § 205.39(b) | toilet room equipment | 5/22/2004 | not necessary |
| Brookline Manor & Retirement | 28 Pa. Code § 205.39(b) | toilet room equipment | 10/2/2004 | granted |
| Crawford Country Care Ctr. | 28 Pa. Code § 211.12(b) | nursing services | 6/26/2004 | temp grant |
| The Zendt Home | 28 Pa. Code § 211.12(f)(1) | nursing services | 12/7/2004 | not necessary |

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

[Pa.B. Doc. No. 05-66. Filed for public inspection January 7, 2005, 9:00 a.m.]

DEPARTMENT OF PUBLIC WELFARE

Inpatient Hospital Services

This notice provides notice of the Department of Public Welfare's (Department) intent to revise its payment method for inpatient hospital services effective on or after January 1, 2005. These revisions will affect acute care general hospitals, private psychiatric hospitals, psychiatric units of general hospitals, rehabilitation hospitals and rehabilitation units of general hospitals.

The Department and representatives of the hospital industry have met extensively to negotiate the terms of a Hospital Rate Agreement. Based on these negotiations, the Department proposes to change its payment methodology for inpatient services as follows:

Base Payment Rates

Effective January 1, 2005, the Department will increase each hospital's or hospital unit's base payment rate for inpatient services provided on a fee-for-service basis by 2.5%.

Inpatient Disproportionate Share; Outpatient Disproportionate Share; and Direct Medical Education Payments

Effective January 1, 2005, the Department intends to increase Inpatient Disproportionate Share payments by 3.5%. For Fiscal Year (FY) 2004-2005, the aggregate amount of Inpatient Disproportionate Share payments is to be limited to \$63.211 million in total funds. In addition to the current three qualifying methods for hospitals, a new qualifying method will be added for acute care hospitals effective January 1, 2005. An acute care hospital, including its units, will be eligible for inpatient DSH if its total number of Medical Assistance (MA) inpatient days (including exempt unit days) is equal to or greater than two standard deviations above the mean of all such days for all hospitals in this Commonwealth. Hospitals qualifying under this method will be ranked with all other previously qualified hospitals to determine a payment amount.

Effective January 1, 2005, the Department intends to increase Outpatient Disproportionate Share payments by 3.0%, with no change in the current methodology for determining eligibility for those payments. For FY 2004-2005, the aggregate amount of Outpatient Disproportionate Share payments is to be limited to \$61.405 million in total funds.

Effective January 1, 2005, the Department intends to increase Medical Education payments by 3.0%, with no change in the current methodology for determining eligibility for those payments. For FY 2004-2005, the aggregate

gate amount of Medical Education payments is to be limited to \$76.712 million in total funds.

Hospital Quality Care Incentive Proposal

The Department is proposing a pilot program that would begin July 1, 2005, and would adjust the rate of increase for disproportionate share hospitals' medical education and disproportionate share payments based on individual hospital performance related to certain quality related measures and activities.

In this program, the Department proposes to provide incentives to hospitals that demonstrate commitment to improved management of the healthcare needs of MA consumers by rewarding hospitals for the better management of chronic diseases and drug therapies, better coordination with physicians, Managed Care Organizations and the ACCESS Plus Program and investing in quality related infrastructure.

The Department is proposing a payment system that would adjust the rate of increase for hospitals' disproportionate share and medical education payments by up to 150% based on a scoring system used to measure re-admission rates for the most common chronic diseases in the MA population, measures related to left ventricular function assessment and community acquired pneumonia, the reduction of pharmacy errors, the use of a single medical record and quality reporting used to score hospitals.

Changes to Acute Care Hospital Reimbursement Methodology

The Department proposes to convert its current Medicare-based Diagnosis Related Group (DRG) payment methodology to the All Patient Refined DRG methodology in calendar year 2006. The Department intends to publish a separate public notice detailing this new payment methodology.

Medical Short Stay Program

The Department intends to establish a Medical Short Stay Program (Program) to provide for payments for patients seen by hospitals where an inpatient admission is not warranted, but care beyond a typical emergency room visit is required. The Department will publish a separate public notice detailing this Program.

Fiscal Impact

This change will result in a cost of \$6.111 million in total funds (\$3.270 million in Federal funds, \$2.841 million in State funds) for FY 2004-05 and a cost of \$28.557 million in total funds (\$15.476 million in Federal funds, \$13.081 million in State funds) for FY 2005-06.

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Public Welfare, Office of Medical Assistance Programs, c/o Deputy Secretary's Office, Attention: Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received within 30 days will be reviewed and considered in determining the final payment rates and payment methodologies for inpatient hospital services.

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

ESTELLE B. RICHMAN,
Secretary

Fiscal Note: 14-NOT-406. (1) General Fund;

| | Inpatient | Outpatient |
|------------------------------------|-------------------|-------------------|
| (2) Implementing Year 2004-05 is | \$2.633 million | \$208,000 |
| (3) 1st Succeeding Year 2005-06 is | \$12.013 million | \$1.068 million |
| 2nd Succeeding Year 2006-07 | \$12.013 million | \$1.068 million |
| 3rd Succeeding Year 2007-08 | \$12.013 million | \$1.068 million |
| 4th Succeeding Year 2008-09 | \$12.013 million | \$1.068 million |
| 5th Succeeding Year 2009-10 | \$12.013 million | \$1.068 million |
| (4) 2003-04 Program | \$411.042 million | \$727.979 million |
| 2002-03 Program | \$407.104 million | \$666.832 million |
| 2001-02 Program | \$417.512 million | \$705.750 million |

(7) MA-Inpatient and MA-Outpatient; (8) recommends adoption. Funds for Fiscal Year 2004-05 payments have been included in Act 7-A of 2004, the General Appropriation Act of 2004.

[Pa.B. Doc. No. 05-67. Filed for public inspection January 7, 2005, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania High Card Instant Lottery Game

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

1. *Name:* The name of the game is Pennsylvania High Card.

2. *Price:* The price of a Pennsylvania High Card instant lottery game ticket is \$1.

3. *Play Symbols:* Each Pennsylvania High Card instant lottery game ticket will contain one play area consisting of Game 1, Game 2, Game 3 and Game 4. Each "GAME" is played separately. Each "GAME" features a "YOUR CARD" area and a "DEALER'S CARD" area. The play symbols and their captions located in the "YOUR CARD" area are: 3 (THR), 4 (FOR), 5 (FIV), 6 (SIX), 7 (SVN), 8 (EGT), 9 (NIN), 10 (TEN), Jack (JCK), Queen (QUN), King (KNG) and Ace (ACE) card play symbols. The play symbols and their captions located in the "DEALER'S CARD" area are: 2 (TWO), 3 (THR), 4 (FOR), 5 (FIV), 6 (SIX), 7 (SVN), 8 (EGT), 9 (NIN), 10 (TEN), Queen (QUN) and King (KNG) card play symbols.

4. *Prize Symbols:* The prize symbols and their captions located in the "PRIZE" area of each "GAME" are: \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20\$ (TWENTY), \$40\$ (FORTY), \$250 (TWOHUNFTY), \$1,000 (ONE THO) and \$4,000 (FOR THO).

5. *Prizes:* The prizes that can be won in this game are \$1, \$2, \$4, \$5, \$10, \$20, \$40, \$250, \$1,000 and \$4,000. The player can win up to 4 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 12,480,000 tickets will be printed for the Pennsylvania High Card instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets where the "YOUR CARD" play symbol is greater than the "DEALER'S CARD" play symbol in the same "GAME," and a prize symbol of \$4,000 (FOR THO) appears in the "PRIZE" area for that "GAME," on a single ticket, shall be entitled to a prize of \$4,000.

(b) Holders of tickets where the "YOUR CARD" play symbol is greater than the "DEALER'S CARD" play symbol in the same "GAME," and a prize symbol of \$1,000 (ONE THO) appears in the "PRIZE" area for that "GAME," on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets where the "YOUR CARD" play symbol is greater than the "DEALER'S CARD" play symbol in the same "GAME," and a prize symbol of \$250 (TWOHUNFTY) appears in the "PRIZE" area for that "GAME," on a single ticket, shall be entitled to a prize of \$250.

(d) Holders of tickets upon which any one of the "YOUR CARD" play symbols is a Jack Card Symbol (JCK), and a prize symbol of \$20 (TWENTY) appears in each of the four "PRIZE" areas on a single ticket, shall be entitled to a prize of \$80.

(e) Holders of tickets where the "YOUR CARD" play symbol is greater than the "DEALER'S CARD" play symbol in the same "GAME," and a prize symbol of \$40\$ (FORTY) appears in the "PRIZE" area for that "GAME," on a single ticket, shall be entitled to a prize of \$40.

(f) Holders of tickets upon which any one of the "YOUR CARD" play symbols is a Jack Card Symbol (JCK), and a prize symbol of \$10⁰⁰ (TEN DOL) appears in each of the four "PRIZE" areas on a single ticket, shall be entitled to a prize of \$40.

(g) Holders of tickets where the "YOUR CARD" play symbol is greater than the "DEALER'S CARD" play symbol in the same "GAME," and a prize symbol of \$20\$ (TWENTY) appears in the "PRIZE" area for that "GAME," on a single ticket, shall be entitled to a prize of \$20.

(h) Holders of tickets upon which any one of the "YOUR CARD" play symbols is a Jack Card Symbol (JCK), and a prize symbol of \$5⁰⁰ (FIV DOL) appears in each of the four "PRIZE" areas on a single ticket, shall be entitled to a prize of \$20.

(i) Holders of tickets where the "YOUR CARD" play symbol is greater than the "DEALER'S CARD" play symbol in the same "GAME," and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "PRIZE" area for that "GAME," on a single ticket, shall be entitled to a prize of \$10.

(j) Holders of tickets upon which any one of the "YOUR CARD" play symbols is a Jack Card Symbol (JCK), and a prize symbol of \$2⁰⁰ (TWO DOL) appears in three of the "PRIZE" areas and a prize symbol of \$4⁰⁰ (FOR DOL) appears in the fourth of the "PRIZE" areas on a single ticket, shall be entitled to a prize of \$10.

(k) Holders of tickets where the "YOUR CARD" play symbol is greater than the "DEALER'S CARD" play symbol in the same "GAME," and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the "PRIZE" area for that "GAME," on a single ticket, shall be entitled to a prize of \$5.

(l) Holders of tickets upon which any one of the "YOUR CARD" play symbols is a Jack Card Symbol (JCK), and a prize symbol of \$1⁰⁰ (ONE DOL) appears in three of the "PRIZE" areas and a prize symbol of \$2⁰⁰ (TWO DOL) appears in the fourth of the "PRIZE" areas on a single ticket, shall be entitled to a prize of \$5.

(m) Holders of tickets where the "YOUR CARD" play symbol is greater than the "DEALER'S CARD" play symbol in the same "GAME," and a prize symbol of \$4⁰⁰ (FOR DOL) appears in the "PRIZE" area for that "GAME," on a single ticket, shall be entitled to a prize of \$4.

(n) Holders of tickets upon which any one of the "YOUR CARD" play symbols is a Jack Card Symbol (JCK), and a prize symbol of \$1⁰⁰ (ONE DOL) appears in each of the four "PRIZE" areas on a single ticket, shall be entitled to a prize of \$4.

(o) Holders of tickets where the "YOUR CARD" play symbol is greater than the "DEALER'S CARD" play symbol in the same "GAME," and a prize symbol of \$2⁰⁰ (TWO DOL) appears in the "PRIZE" area for that "GAME," on a single ticket, shall be entitled to a prize of \$2.

(p) Holders of tickets where the "YOUR CARD" play symbol is greater than the "DEALER'S CARD" play symbol in the same "GAME," and a prize symbol of \$1⁰⁰ (ONE DOL) appears in the "PRIZE" area for that "GAME," on a single ticket, shall be entitled to a prize of \$1.

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

| <i>When Your Card Beats The Dealer's Card, Win With Prize(s) of:</i> | <i>Win:</i> | <i>Approximate Odds of 1 In:</i> | <i>Approximate No. of Winners Per 12,480,000 Tickets</i> |
|--|-------------|----------------------------------|--|
| \$1 | \$1 | 10 | 1,248,000 |
| \$1 × 2 | \$2 | 33.33 | 374,400 |
| \$2 | \$2 | 33.33 | 374,400 |
| \$1 × 4 | \$4 | 200 | 62,400 |
| \$2 × 2 | \$4 | 200 | 62,400 |
| Jack w/\$1 × 4 | \$4 | 100 | 124,800 |
| \$4 | \$4 | 150 | 83,200 |
| Jack w/\$1 × 3 + \$2 | \$5 | 150 | 83,200 |

When Your Card Beats The Dealer's Card, Win With Prize(s) of:

\$5
 \$2 + \$4 × 2
 \$2 × 3 + \$4
 Jack w/\$2 × 3 + \$4
 \$5 × 2
 \$10
 \$5 × 4
 Jack w/\$5 × 4
 \$10 × 2
 \$20
 \$10 × 4
 Jack w/\$10 × 4
 \$20 × 2
 \$40
 \$20 × 4
 Jack w/\$20 × 4
 \$40 × 2
 \$250
 \$250 × 4
 \$1,000
 \$1,000 × 4
 \$4,000

Win:

\$5
 \$10
 \$10
 \$10
 \$10
 \$10
 \$20
 \$20
 \$20
 \$40
 \$40
 \$40
 \$80
 \$80
 \$80
 \$250
 \$1,000
 \$1,000
 \$4,000
 \$4,000

Approximate Odds of 1 In:

150
 1,000
 1,000
 375
 1,500
 750
 1,500
 750
 1,500
 1,500
 4,000
 4,000
 4,000
 4,000
 60,000
 60,000
 60,000
 60,000
 1,248,000
 832,000
 2,496,000
 2,496,000

Approximate No. of Winners Per 12,480,000 Tickets

83,200
 12,480
 12,480
 33,280
 8,320
 16,640
 8,320
 16,640
 8,320
 8,320
 3,120
 3,120
 3,120
 3,120
 208
 208
 208
 208
 10
 15
 5
 5

Jack = Wins all 4 prizes shown automatically.

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

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

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

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

GREGORY C. FAJT,
Secretary

[Pa.B. Doc. No. 05-68. Filed for public inspection January 7, 2005, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Finding

Lawrence County

Under section 2002(b) of The Administrative Code of 1929 (71 P. S. § 512(b)), the Deputy Secretary for Highway Administration, Department of Transportation (Department), makes the following written finding:

The Department plans to widen and rehabilitate approximately 2.9 km (1.8 miles) of Mercer Road between Mitchell Road to the south and Maitland Road to the north, in Neshannock and Wilmington Townships, Lawrence County. The roadway widening and rehabilitation requires the taking of approximately 0.33 ha (0.8 acre) from Pearson Park and the use of a Pearson Park parcel which qualifies as a Section 2002/Section 4(f) resource.

Mitigation measures to minimize harm to the resource include the following:

1. Access to Pearson Park will be maintained at all times. Signs will be posted during Phase 3 of construction, which requires a detour in front of Pearson Park that allows park users to access the park through the detour or access the park through an alternate entrance.
2. The proposed construction activities will be limited to the minimal area necessary to conduct the required roadway improvements.
3. Storage of construction equipment and materials will be restricted from the park.
4. All disturbed areas will be returned to pre-construction conditions when work is completed.

5. The Department will continue to coordinate with Neshannock Township regarding the project schedule and project impacts.

The Deputy Secretary has considered the environmental, economic, social and other effects of the proposed project as enumerated in section 2002 of The Administrative Code of 1929 and has concluded that there is no feasible and prudent alternative to the project as designed, and all reasonable steps have been taken to minimize the effect.

GARY L. HOFFMAN, P. E.,
Deputy Secretary for Highway Administration

[Pa.B. Doc. No. 05-69. Filed for public inspection January 7, 2005, 9:00 a.m.]

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to James Lavery, Actuary, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlavery@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 05-71. Filed for public inspection January 7, 2005, 9:00 a.m.]

HEALTH CARE COST CONTAINMENT COUNCIL

Meeting Schedules

The following meetings of the Health Care Cost Containment Council have been scheduled: Wednesday, January 12, 2005, Data Systems Committee Meeting—10 a.m., Education Committee Meeting—1 p.m.; Thursday, January 13, 2005, Council Meeting—10 a.m. The meetings will be held in the conference room at the Council Office, 225 Market Street, Suite 400, Harrisburg, PA 17101. The public is invited to attend. Individuals who need accommodation due to a disability and want to attend the meetings should contact Cherie Elias, Health Care Cost Containment Council, 225 Market Street, Harrisburg, PA 17101 or (717) 232-6787 at least 24 hours in advance so that arrangements can be made.

MARC P. VOLAVKA,
Executive Director

[Pa.B. Doc. No. 05-70. Filed for public inspection January 7, 2005, 9:00 a.m.]

INSURANCE DEPARTMENT

Conseco Senior Health Insurance Company; Rate Increase Filing for Long Term Care Policy 11001 and 11006; Rate Filing

Conseco Senior Health Insurance Company is requesting approval to increase the premium 15% for the Long Term Care policy 11001, 11006 and the associated riders. The Transport Life Insurance Company originally issued this form. The average premium will increase from \$1,671 to \$1,903 and will affect 907 policyholders in this Commonwealth.

Unless formal administrative action is taken prior to March 24, 2005, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) website at www.ins.state.pa.us. Scroll down the home page and click on "Consumer Information" located on the left side. Next, scroll down to "General Information" located in the middle of the page and click on "Notices." The pdf copy of this filing is located at the link "Filing.pdf" following the name of the filing.

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), in connection with the termination of the insureds' automobile policies. The hearings will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearings will be held in the Insurance Department's regional offices in Harrisburg, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 N. Seventh Street, Harrisburg, PA 17102.

Appeal of Jessy X. DiPorto; file no. 04-181-08711; State Farm Fire and Casualty Company; doc. no. P04-12-024; February 22, 2005, 1:30 p.m.

Appeal of Margarete W. Maloy; file no. 04-303-71868; Shelby Casualty Insurance Co.; doc. no. P104-11-019; January 10, 2005, 1 p.m.

Parties may appear with or without counsel and offer relevant testimony or evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated represen-

tatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend an administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Jeffrey Wallace, Agency Coordinator, (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 05-72. Filed for public inspection January 7, 2005, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insureds have requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) in connection with their companies' termination of the insureds' policies. The administrative hearings will be held in the Insurance Department's regional offices in Harrisburg and Philadelphia, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearings will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 N. Seventh Street, Harrisburg, PA 17102.

Appeal of Nancy C. Rohrer; file no. 04-181-11476; Old Guard Mutual Insurance Company; doc. no. P04-12-022; February 23, 2005, 1:30 p.m.

Appeal of Thomas and Joanne Wilt; file no. 04-188-11590; Penn National Insurance; doc. no. P04-12-023; February 22, 2005, 10 a.m.

The following hearing will be held in the Philadelphia Regional Office, Room 1701, State Office Building, 1400 Spring Garden Street, Philadelphia, PA 19130.

Appeal of Rosemarie J. Collins; file no. 04-265-04525; State Farm Fire and Casualty; doc. no. PH04-12-011; February 17, 2005, 9 a.m.

Each party may appear with or without counsel and offer relevant testimony and/or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend an administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Jeffrey Wallace, Agency Coordinator, (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 05-73. Filed for public inspection January 7, 2005, 9:00 a.m.]

LIQUOR CONTROL BOARD

Expiration of Leases

The following Liquor Control Board leases will expire:

Fayette County, Wine & Spirits Shoppe #2611, Uniontown Shopping Center, 946 Morgantown Road, Uniontown, PA 15401-4839.

Lease Expiration Date: June 30, 2006

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 3,600 net useable square feet of new or existing retail commercial space in a shopping center environment located within 1/2 mile of the intersection of Morgantown Road and Walnut Hill Road, Uniontown.

Proposals due: January 28, 2005, at 12 p.m.

Department: Liquor Control Board
Location: Real Estate Division, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222
Contact: Bruce VanDyke, (412) 565-5130

Washington County, Wine & Spirits Shoppe #6302, 43 E. Pike Street, Canonsburg, PA 15317-1311.

Lease Expiration Date: February 28, 2006

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 3,500 net useable square feet of new or existing retail commercial space serving Canonsburg. The site must have convenient off-street customer parking and access for separate tractor-trailer deliveries.

Proposals due: January 28, 2005, at 12 p.m.

Department: Liquor Control Board
Location: Real Estate Division, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222
Contact: Bruce VanDyke, (412) 565-5130

JONATHAN H. NEWMAN,
Chairperson

[Pa.B. Doc. No. 05-74. Filed for public inspection January 7, 2005, 9:00 a.m.]

**PENNSYLVANIA
INFRASTRUCTURE
INVESTMENT AUTHORITY
AND
DEPARTMENT OF
ENVIRONMENTAL
PROTECTION**

**Clean Water State Revolving Fund; Federal FY
2004 and 2005 Project Priority List**

The Pennsylvania Infrastructure Investment Authority (PENNVEST) and the Department of Environmental Protection (Department) have amended the combined Federal Fiscal Year (FY) 2004/2005 Clean Water State Revolving Fund (CWSRF) Project Priority List (List) of municipal sewage construction projects.

The FY 2004/2005 List was prepared in conformance with the requirements of Title II and Title VI of The Clean Water Act and Federal guidance and was previously approved by the Environmental Protection Agency (EPA). The projects included on the List have a project priority rating established under the Department's EPA approved Chapter 103 (relating to financial assistance) project priority rating system. See 25 Pa. Code Chapter 103. The Clean Water Act stipulates that states must maintain a Project Priority List of municipal sewage projects from which to develop the annual CWSRF Intended Use Plan (IUP) list of projects to be funded.

The projects added to the List will not replace any project currently on the approved FY 2004/2005 List. Projects were placed in the appropriate ranking slot in relation to other rated and ranked projects on the List. The rank order standing of projects on the List does not dictate the order in which projects are chosen for funding in the CWSRF program. A project may be selected from any numerical rank position on the List for funding. A project's readiness to proceed and the reasonable availability of alternative sources of funds have a bearing on project selection for funding in the program.

Some projects added to the FY 2004/2005 List are expected to proceed to construction in the near future, and others are being added as potential projects for future construction loan consideration. The projects expected to be ready for loan funding in the near future have submitted applications for funding and may be placed on an IUP to (1) replace projects that have not proceeded timely toward initiation of project construction and/or (2) to fill funding gaps that have developed as a result of cost savings. Projects removed from an IUP will remain on the List and be considered for CWSRF loan funds in the future.

Interested persons are invited to express their views on the priority rating or ranking of projects on the amended FY 2004/2005 List. Persons who wish to offer comments should submit them in writing to the Administrative Services Section, Division of Municipal Financial Assistance, Bureau of Water Supply and Wastewater Management, 10th Floor, Rachel Carson State Office Building, P. O. Box 8466, Harrisburg, PA 17105-8466, (717) 787-6744, amaisano@state.pa.us.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Tony Maisano as noted in this notice or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

A copy of the amended FY 2004/2005 Project Priority List that shows all municipal sewage projects in priority and ranked order is included in this notice and is available for public review in the offices listed below. This list is also accessible electronically through the Department's website as follows:

http://www.dep.state.pa.us/dep/deputate/watermgmt/WSM/WSM_TAO/Finan_Tech_Asst.htm

DEP—Southeast Region:
Water Management Program Manager
2 East Main Street
Norristown, PA 19401
(484) 250-5970

DEP—Northeast Region:
Water Management Program Manager
2 Public Square
Wilkes-Barre, PA 18711-0790
(570) 826-2553

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

DEP—Northcentral Region:
Water Management Program Manager
208 West 3rd Street
Williamsport, PA 17701
(570) 327-3669

DEP—Southwest Region:
Water Management Program Manager
400 Waterfront Drive
Pittsburgh, PA 15222-4745
(412) 442-4000

DEP—Northwest Region:
Water Management Program Manager
230 Chestnut Street
Meadville, PA 16335-3481
(814) 332-6942

DEP—Bureau of Water Supply and Wastewater Management
Division of Municipal Financial Assistance
Administrative Services Section
10th Floor, RCSOB
400 Market Street
Harrisburg, PA 17101
(717) 787-6744

PENNVEST
22 S. Third Street
4th Floor, Keystone Building
Harrisburg, PA 17101
(717) 787-8137

KATHLEEN A. MCGINTY,
Secretary
Department of Environmental Protection
Vice-Chairperson
Pennsylvania Infrastructure Investment Authority
PAUL K. MARCHETTI,
Executive Director
Pennsylvania Infrastructure Investment Authority

**PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY AND DEPARTMENT OF ENVIRONMENTAL PROTECTION
CLEAN WATER STATE REVOLVING FUND
FY 2004 AND FY 2005 AMENDED PROJECT PRIORITY LIST IN PRIORITY ORDER**

EXPLANATION OF COLUMNAR HEADINGS (EXCEPT THOSE THAT ARE SELF-EXPLANATORY)

NEEDS CATEGORY:

- I—SECONDARY TREATMENT
- II—TREATMENT MORE STRINGENT THAN SECONDARY
- IIIA—INFILTRATION/INFLOW CORRECTION
- IIIB—MAJOR SEWER SYSTEM REHABILITATION
- IVA—NEW COLLECTOR SEWERS AND APPURTENANCES
- IVB—NEW INTERCEPTORS AND APPURTENANCES
- V—CORRECTION OF COMBINED SEWER OVERFLOWS

PROJECT TYPE:

- STP—SEWAGE TREATMENT PLANT
- STPMOD—SEWAGE TREATMENT PLANT MODIFICATION
- INT—INTERCEPTOR
- PS—PUMP STATION
- FM—FORCE MAIN
- SS—SEWER SYSTEM
- SS REH—SEWER SYSTEM REHABILITATION

NPDES PERMIT NUMBER:

NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM PERMIT NUMBER

PROJECT NUMBER:

FEDERAL LOAN PROJECT IDENTIFICATION NUMBER

ELIG. COST:

ESTIMATED LOAN AMOUNT FOR ELIGIBLE PROJECT

**PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY AND DEPARTMENT OF ENVIRONMENTAL PROTECTION
 CLEAN WATER STATE REVOLVING FUND
 FY 2004 AND FY 2005 AMENDED PROJECT PRIORITY LIST
 January 8, 2005**

APPLICANT INFORMATION

NEEDS CATEGORIES

PROJECT INFORMATION

| | | | | | | | | |
|--|------------------------------|-------------------------------|---------------------|----------------------------------|-----------------------------|--|--|---|
| Fredericksburg Sewer & Water Authority P. O. Box 161 Fredericksburg, PA 17026 | COUNTY: REGION: NPDES: | Lebanon SC | I: II: III A: | \$479,327 \$0 \$0 \$0 | IVA: IVB: V: ELIB. | \$1,799,873 \$0 \$0 \$2,279,200 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS422304-01 STP PS INT SS 64 1 |
| East Earl Sewer Authority P. O. Box 339 Blue Ball, PA 17506 | COUNTY: REGION: NPDES: | Lancaster SC | I: II: III A: | \$798,900 \$0 \$0 \$0 | IVA: IVB: V: ELIB. | \$1,639,300 \$0 \$0 \$2,438,200 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS422346-01 STP SS 57 2 |
| Northern Blair County Regional Sewer Auth R. R. 4, Box 236A Tyronne, PA 16686 | COUNTY: REGION: NPDES: | Blair SC | I: II: III A: | \$0 \$0 \$0 \$0 | IVA: IVB: V: ELIB. | \$1,105,000 \$0 \$0 \$1,105,000 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS422298-01 SS 55 3 |
| Lenhartsville Borough P. O. Box 238, 19 Willow Street Lenhartsville, PA 19534 | COUNTY: REGION: NPDES: | Berks SC PA0246921 | I: II: III A: | \$600,000 \$0 \$0 \$0 | IVA: IVB: V: ELIB. | \$656,455 \$350,000 \$0 \$1,606,455 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS422300-02 STP INT SS 55 4 |
| BRIDGEWATER TWNP MA P. O. BOX 185 S. MONTROSE, PA 18801 | COUNTY: REGION: NPDES: | Susquehanna NE | I: II: III A: | \$0 \$0 \$0 \$0 | IVA: IVB: V: ELIB. | \$3,190,617 \$797,654 \$0 \$3,988,271 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS422412-01 SS INT 53 5 |
| BEDFORD TOWNSHIP MA - WOLFSBURG P. O. BOX 371 BEDFORD, PA 15522 | COUNTY: REGION: NPDES: | Bedford SC | I: II: III A: | \$0 \$0 \$0 \$0 | IVA: IVB: V: ELIB. | \$1,330,000 \$0 \$0 \$1,330,000 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS422465-01 SS 52 6 |
| New Ringgold Borough P. O. Box 180 New Ringgold, PA 17960 | COUNTY: REGION: NPDES: | Schuylkill NE PA0064157 | I: II: III A: | \$673,750 \$0 \$0 \$0 | IVA: IVB: V: ELIB. | \$998,440 \$0 \$0 \$1,672,190 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS421944-01 STP SS INT 52 7 |
| Alexandria-Porter Joint MA R. D. 1 Box 80 Alexandria, PA 16611 | COUNTY: REGION: NPDES: | Huntingdon SC PA0043443 | I: II: III A: | \$1,850,000 \$0 \$0 \$0 | IVA: IVB: V: ELIB. | \$5,252,000 \$0 \$0 \$7,102,000 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS422296-01 SS STPMOD 50 8 |
| Swatara Township One Supervisors Drive Jonestown, PA 17038 | COUNTY: REGION: NPDES: | Lebanon SC | I: II: III A: | \$0 \$0 \$0 \$0 | IVA: IVB: V: ELIB. | \$2,577,671 \$0 \$0 \$2,577,671 | PROJECT NO.: PROJECT TYPE: PROJECT RATING: PROJECT RANKING: | CS422310-01 PS INT SS 50 9 |

APPLICANT INFORMATION

NEEDS CATEGORIES

PROJECT INFORMATION

| | | | | | |
|--|------------------------------|----------------------------------|--|---|--|
| Penn Twp Municipal Authority 102 Municipal Building Road Duncannon, PA 17020 | COUNTY: REGION: NPDES: | Perry SC PA0084701 & IIIA: | I: \$1,600,000 II: \$0 III: \$0 IV: \$0 | IVA: \$3,075,000 IVB: \$0 V: \$0 ELIB: \$4,675,000 | PROJECT NO.: CS422236-01 PROJ. TYPE: STPMOD SS PROJECT RATING: 47 PROJECT RANKING: 10 |
| Dublin Township 29195 Great Cove Rd., Box 240 Fort Littleton, PA 17223 | COUNTY: REGION: NPDES: | Fulton SC N/A | I: \$600,000 II: \$0 III: \$0 IV: \$0 | IVA: \$2,199,000 IVB: \$0 V: \$0 ELIB: \$2,799,000 | PROJECT NO.: CS421813-01 PROJ. TYPE: STP SS PS PROJECT RATING: 47 PROJECT RANKING: 11 |
| RINGTOWN MSA P. O. BOX 202 RINGTOWN, PA 17967 | COUNTY: REGION: NPDES: | Schuykill NE N/A | I: \$789,360 II: \$0 III: \$0 IV: \$740,016 | IVA: \$0 IVB: \$0 V: \$0 ELIB: \$1,529,376 | PROJECT NO.: CS422420-01 PROJ. TYPE: SSREH PROJECT RATING: 45 PROJECT RANKING: 12 |
| Covington Township R. R. 1, Box 87 Covington, PA 16917 | COUNTY: REGION: NPDES: | Tioga NC N/A | I: \$37,500 II: \$0 III: \$0 IV: \$0 | IVA: \$257,008 IVB: \$0 V: \$0 ELIB: \$294,508 | PROJECT NO.: CS422145-01 PROJ. TYPE: STPMOD SS PROJECT RATING: 44 PROJECT RANKING: 13 |
| Indiana County Municipal Services 827 Water Street Indiana, PA 15701 | COUNTY: REGION: NPDES: | Indiana SW PA0252506 | I: \$150,000 II: \$0 III: \$0 IV: \$0 | IVA: \$180,000 IVB: \$1,312,500 V: \$0 ELIB: \$1,642,500 | PROJECT NO.: CS422359-01 PROJ. TYPE: STP SS PS PROJECT RATING: 43 PROJECT RANKING: 14 |
| Nelson Township MA P. O. Box 100 Nelson, PA 16940 | COUNTY: REGION: NPDES: | Tioga NC PA0060208 | I: \$1,266,172 II: \$259,337 III: \$0 IV: \$0 | IVA: \$926,243 IVB: \$369,648 V: \$0 ELIB: \$2,821,400 | PROJECT NO.: CS422375-01 PROJ. TYPE: STPMOD SS PS PROJECT RATING: 43 PROJECT RANKING: 15 |
| LOLENDON BOROUGH 24 FRANKLIN ST EASTON, PA 18042 | COUNTY: REGION: NPDES: | Northampton NE N/A | I: \$0 II: \$0 III: \$0 IV: \$0 | IVA: \$900,000 IVB: \$200,000 V: \$0 ELIB: \$1,100,000 | PROJECT NO.: CS422416-01 PROJ. TYPE: SS PS INT PROJECT RATING: 43 PROJECT RANKING: 16 |
| MAHONING TOWNSHIP SR 224, BOX 99 HILLSVILLE, PA 16132 | COUNTY: REGION: NPDES: | Lawrence NW N/A | I: \$2,100,000 II: \$0 III: \$0 IV: \$0 | IVA: \$6,600,000 IVB: \$0 V: \$0 ELIB: \$8,700,000 | PROJECT NO.: CS422404-01 PROJ. TYPE: STP SS PROJECT RATING: 43 PROJECT RANKING: 17 |
| Cromwell Twp P. O. Box 340 Orbisonia, PA 17243 | COUNTY: REGION: NPDES: | Huntingdon SC PA0247014 | I: \$0 II: \$244,000 III: \$0 IV: \$0 | IVA: \$1,055,000 IVB: \$0 V: \$0 ELIB: \$1,299,000 | PROJECT NO.: CS422438-01 PROJ. TYPE: SS STP PROJECT RATING: 41 PROJECT RANKING: 18 |
| Tulpehocken Township P. O. Box 272 Rehlersburg, PA 19550 | COUNTY: REGION: NPDES: | Berks SC N/A | I: \$1,500,000 II: \$0 III: \$0 IV: \$0 | IVA: \$2,700,000 IVB: \$0 V: \$0 ELIB: \$4,200,000 | PROJECT NO.: CS422192-01 PROJ. TYPE: STP PS INT SS PROJECT RATING: 41 PROJECT RANKING: 19 |

APPLICANT INFORMATION

NEEDS CATEGORIES

PROJECT INFORMATION

| | | | | |
|---|--|--|--|--|
| ELDRED TOWNSHIP R. D. 2, BOX 123A PITTSFIELD, PA 16340 | COUNTY: Warren REGION: NW NPDES: | I: \$0 II: \$650,000 III: \$0 III: \$0 | IVA: \$1,403,737 IVB: \$0 V: \$0 ELIB. \$2,053,737 | PROJECT NO.: CS422401-01 PROJ. TYPE: STP SS PROJECT RATING: 41 PROJECT RANKING: 20 |
| East Providence Township P. O. Box 83 Breezewood, PA 15533 | COUNTY: Bedford REGION: SC NPDES: PA0038733 | I: \$500,000 II: \$84,000 III: \$0 III: \$400,000 | IVA: \$100,000 IVB: \$0 V: \$0 ELIB. \$1,084,000 | PROJECT NO.: CS422371-01 PROJ. TYPE: STPMOD SS PS PROJECT RATING: 41 PROJECT RANKING: 21 |
| Chartiers Township 2 Buccaneer Drive Houston, PA 15342 | COUNTY: Washington REGION: SW NPDES: | I: \$0 II: \$0 III: \$0 III: \$0 | IVA: \$396,393 IVB: \$0 V: \$0 ELIB. \$396,393 | PROJECT NO.: CS422254-01 PROJ. TYPE: SS PROJECT RATING: 40 PROJECT RANKING: 22 |
| North Sewickley Township Sewer Authority 893 Mercer Road Beaver Falls, PA 15010 | COUNTY: Beaver REGION: SW NPDES: PA0026832 | I: \$0 II: \$0 III: \$0 III: \$0 | IVA: \$3,445,600 IVB: \$8,204,875 V: \$0 ELIB. \$11,650,475 | PROJECT NO.: CS422245-01 PROJ. TYPE: SS INT PS FM PROJECT RATING: 40 PROJECT RANKING: 23 |
| MONONGAHELA CITY 449 West Main Street Monongahela, PA 15063 | COUNTY: Washington REGION: SW NPDES: PA0025950 | I: \$0 II: \$0 III: \$0 III: \$0 | IVA: \$3,296,000 IVB: \$0 V: \$0 ELIB. \$3,296,000 | PROJECT NO.: CS422394-01 PROJ. TYPE: SS PS FM PROJECT RATING: 40 PROJECT RANKING: 24 |
| FAIRCHANCE-GEORGES JMA 141 BIG SIX ROAD SMITHFIELD, PA 15478 | COUNTY: FAYETTE REGION: SW NPDES: | I: \$3,142,980 II: \$0 III: \$0 III: \$0 | IVA: \$5,674,657 IVB: \$600,000 V: \$0 ELIB. \$9,417,637 | PROJECT NO.: CS422423-01 PROJ. TYPE: STPMOD, SS, INT, PS PROJECT RATING: 40 PROJECT RANKING: 25 |
| Duryea Borough Sewer Authority 504 Main Street Duryea, PA 18642 | COUNTY: Luzerne REGION: NE NPDES: N/A | I: \$0 II: \$0 III: \$0 III: \$0 | IVA: \$583,038 IVB: \$0 V: \$0 ELIB. \$583,038 | PROJECT NO.: CS422217-01 PROJ. TYPE: PS SS PROJECT RATING: 40 PROJECT RANKING: 26 |
| Westover Borough Council P. O. Box 199 Westover, PA 16692 | COUNTY: Clearfield REGION: NC NPDES: PA0228737 | I: \$841,500 II: \$0 III: \$0 III: \$0 | IVA: \$0 IVB: \$1,708,500 V: \$0 ELIB. \$2,550,000 | PROJECT NO.: CS422379-01 PROJ. TYPE: STP SS PROJECT RATING: 40 PROJECT RANKING: 27 |
| Markleysburg Borough 213 Main Street Marklesyburg, PA 15459 | COUNTY: Fayette REGION: SW NPDES: | I: \$700,000 II: \$0 III: \$0 III: \$0 | IVA: \$1,769,900 IVB: \$39,100 V: \$0 ELIB. \$2,509,000 | PROJECT NO.: CS422360-01 PROJ. TYPE: PROJECT RATING: 40 PROJECT RANKING: 28 |
| SOUTH VERSAILLES TOWNSHIP P. O. BOX 66 COULTER, PA 15028 | COUNTY: Allegheny REGION: SW NPDES: | I: \$0 II: \$0 III: \$0 III: \$0 | IVA: \$171,580 IVB: \$0 V: \$0 ELIB. \$171,580 | PROJECT NO.: CS422457-01 PROJ. TYPE: SS PROJECT RATING: 40 PROJECT RANKING: 29 |

APPLICANT INFORMATION

NEEDS CATEGORIES

PROJECT INFORMATION

| | | | | | |
|--|------------------------------|------------------------------|--|---|--|
| Texas Township Municipal Authority 320 Shady Lane Honesdale, PA 18431 | COUNTY: REGION: NPDES: | Wayne NE N/A | I: \$2,300,000 II: \$100,000 III: \$0 IV: \$0 | IVA: \$600,000 IVB: \$0 V: \$0 ELIB: \$3,000,000 | PROJECT NO.: CS422038-01 PROJ. TYPE: STP SS PROJECT RATING: 40 PROJECT RANKING: 30 |
| Delaware Township R. D. 1, Box 410 Thompsontown, PA 17094 | COUNTY: REGION: NPDES: | Juniata SC | I: \$0 II: \$274,622 III: \$0 IV: \$0 | IVA: \$322,778 IVB: \$0 V: \$0 ELIB: \$597,400 | PROJECT NO.: CS422308-01 PROJ. TYPE: STP PS SS PROJECT RATING: 40 PROJECT RANKING: 31 |
| Reilly Township P. O. Box 1 Branchdale, PA 17923 | COUNTY: REGION: NPDES: | Schuylkill NE N/A | I: \$800,000 II: \$0 III: \$0 IV: \$0 | IVA: \$531,000 IVB: \$30,000 V: \$0 ELIB: \$1,361,000 | PROJECT NO.: CS422087-01 PROJ. TYPE: STP SS INT PROJECT RATING: 39 PROJECT RANKING: 32 |
| Milford Township R. R. 3, Box 675 Mifflintown, PA 17059 | COUNTY: REGION: NPDES: | Juniata SC | I: \$0 II: \$0 III: \$0 IV: \$0 | IVA: \$1,930,000 IVB: \$0 V: \$0 ELIB: \$1,930,000 | PROJECT NO.: CS422363-01 PROJ. TYPE: SS PS PROJECT RATING: 39 PROJECT RANKING: 33 |
| Lycoming County Water & Sewer Authority 216 Old Cement Road Montoursville, PA 17754 | COUNTY: REGION: NPDES: | Lycoming NC | I: \$0 II: \$0 III: \$0 IV: \$0 | IVA: \$3,406,474 IVB: \$2,472,326 V: \$0 ELIB: \$5,878,800 | PROJECT NO.: CS422288-01 PROJ. TYPE: PS INT SS PROJECT RATING: 39 PROJECT RANKING: 34 |
| Jackson Township P. O. Box 48 Millerton, PA 16936 | COUNTY: REGION: NPDES: | Tioga NC N/A | I: \$554,399 II: \$215,600 III: \$0 IV: \$0 | IVA: \$3,457,208 IVB: \$116,019 V: \$0 ELIB: \$4,343,226 | PROJECT NO.: CS422143-01 PROJ. TYPE: STP SS PROJECT RATING: 39 PROJECT RANKING: 35 |
| Strausstown Borough 101 Main Street, P. O. Box 269 Strausstown, PA 19559 | COUNTY: REGION: NPDES: | Berks SC | I: \$471,600 II: \$0 III: \$0 IV: \$0 | IVA: \$1,400,000 IVB: \$650,000 V: \$0 ELIB: \$2,521,600 | PROJECT NO.: CS422301-01 PROJ. TYPE: STP PS INT SS PROJECT RATING: 39 PROJECT RANKING: 36 |
| Susquehanna Township 1900 Linglestown Road Harrisburg, PA 17110 | COUNTY: REGION: NPDES: | Dauphin SC | I: \$0 II: \$0 III: \$0 IV: \$0 | IVA: \$154,000 IVB: \$130,000 V: \$0 ELIB: \$284,000 | PROJECT NO.: CS422249-01 PROJ. TYPE: INT SS PROJECT RATING: 38 PROJECT RANKING: 37 |
| Shanksville Borough P. O. Box 58 Shanksville, PA 15560 | COUNTY: REGION: NPDES: | Somerset SW | I: \$500,000 II: \$0 III: \$0 IV: \$0 | IVA: \$1,200,000 IVB: \$150,000 V: \$0 ELIB: \$1,850,000 | PROJECT NO.: CS422355-01 PROJ. TYPE: STP SS INT PS PROJECT RATING: 38 PROJECT RANKING: 38 |
| MAHONING TOWNSHIP P. O. Box 50 Distant, PA 16223 | COUNTY: REGION: NPDES: | Armstrong SW PA0252581 | I: \$1,000,000 II: \$0 III: \$0 IV: \$0 | IVA: \$3,175,150 IVB: \$0 V: \$0 ELIB: \$4,175,150 | PROJECT NO.: CS422393-01 PROJ. TYPE: STP PS SS PROJECT RATING: 38 PROJECT RANKING: 39 |

APPLICANT INFORMATION

NEEDS CATEGORIES

PROJECT INFORMATION

| | | | | | |
|---|------------------------------|-------------------------------|---|--|--|
| Schuylkill Valley Sewer Authority P. O. Box 314 Mary-D, PA 17952 | COUNTY: REGION: NPDES: | Schuylkill NE PA0064211 | I: \$5,403,989 II: \$0 IIIA: \$0 IV: \$0 | IVA: \$9,313,264 IVB: \$4,024,247 V: \$0 ELIB. \$18,741,500 | PROJECT NO.: CS421749-01 PROJ. TYPE: STP SS INT PROJECT RATING: 38 PROJECT RANKING: 40 |
| Butler Twp 415 West Butler Drive Drums, PA 18222 | COUNTY: REGION: NPDES: | Luzerne NE PA0024716 | I: \$0 II: \$0 IIIA: \$0 IV: \$0 | IVA: \$470,000 IVB: \$0 V: \$0 ELIB. \$470,000 | PROJECT NO.: CS422436-01 PROJ. TYPE: SS PROJECT RATING: 37 PROJECT RANKING: 41 |
| Indiana Cty MSA 827 Water Street INDIANA, PA 15701 | COUNTY: REGION: NPDES: | Indiana SW PA0218839 | I: \$0 II: \$0 IIIA: \$0 IV: \$0 | IVA: \$3,124,000 IVB: \$450,000 V: \$0 ELIB. \$3,574,000 | PROJECT NO.: CS422442-01 PROJ. TYPE: SS PS PROJECT RATING: 37 PROJECT RANKING: 42 |
| Hopewell Township R. D. 1, Box 95 James Creek, PA 16657 | COUNTY: REGION: NPDES: | Huntingdon SC PA0082759 | I: \$0 II: \$0 IIIA: \$0 IV: \$0 | IVA: \$94,400 IVB: \$0 V: \$0 ELIB. \$94,400 | PROJECT NO.: CS421571-01 PROJ. TYPE: SS PS PROJECT RATING: 37 PROJECT RANKING: 43 |
| Union Township Municipal Authority P. O. Box 501 Union City, PA 16438 | COUNTY: REGION: NPDES: | Erie NW N/A | I: \$0 II: \$0 IIIA: \$0 IV: \$0 | IVA: \$958,680 IVB: \$0 V: \$0 ELIB. \$958,680 | PROJECT NO.: CS422123-01 PROJ. TYPE: SS PS PROJECT RATING: 37 PROJECT RANKING: 44 |
| Leacock Township 16 E. Westview Drive Intercourse, PA 17534 | COUNTY: REGION: NPDES: | Lancaster SC PA0084212 | I: \$2,500,000 II: \$0 IIIA: \$0 IV: \$0 | IVA: \$0 IVB: \$500,000 V: \$0 ELIB. \$3,000,000 | PROJECT NO.: CS421839-01 PROJ. TYPE: STP INT PROJECT RATING: 37 PROJECT RANKING: 45 |
| Nicholson Boro WA P. O. Box 324 Nicholson, PA 18446 | COUNTY: REGION: NPDES: | Wyoming NE PENDING | I: \$926,358 II: \$0 IIIA: \$0 IV: \$0 | IVA: \$2,468,539 IVB: \$0 V: \$0 ELIB. \$3,394,897 | PROJECT NO.: CS422437-01 PROJ. TYPE: SS STP PROJECT RATING: 36 PROJECT RANKING: 46 |
| Indiana County Municipal Services 827 Water Street Indiana, PA 15701 | COUNTY: REGION: NPDES: | Indiana/ Cambria/ SW | I: \$1,536,000 II: \$0 IIIA: \$0 IV: \$0 | IVA: \$2,285,000 IVB: \$480,000 V: \$0 ELIB. \$4,301,000 | PROJECT NO.: CS422339-01 PROJ. TYPE: STP PS SS PROJECT RATING: 35 PROJECT RANKING: 47 |
| Port Clinton Borough North Street Port Clinton, PA 19549 | COUNTY: REGION: NPDES: | Schuylkill NE N/A | I: \$1,200,000 II: \$0 IIIA: \$0 IV: \$0 | IVA: \$1,440,000 IVB: \$60,000 V: \$0 ELIB. \$2,700,000 | PROJECT NO.: CS421941-01 PROJ. TYPE: STP SS PS INT PROJECT RATING: 35 PROJECT RANKING: 48 |
| Franklin Township 55 Scott School Road Orrtanna, PA 17353 | COUNTY: REGION: NPDES: | Adams SC N/A | I: \$190,000 II: \$0 IIIA: \$0 IV: \$0 | IVA: \$85,000 IVB: \$0 V: \$0 ELIB. \$275,000 | PROJECT NO.: CS422220-01 PROJ. TYPE: STP SS PROJECT RATING: 35 PROJECT RANKING: 49 |

APPLICANT INFORMATION

NEEDS CATEGORIES

PROJECT INFORMATION

| | | | | |
|---|---|--|--|---|
| Avondale Borough 110 Pomeroy Street Avondale, PA 19311 | COUNTY: Chester REGION: SE NPDES: PA0025488 | I: \$3,420,000 II: \$0 III: \$0 IV: \$0 | IVA: \$0 IVB: \$0 V: \$0 ELIB: \$3,420,000 | PROJECT NO.: CS422370-01 PROJ. TYPE: STPMOD PROJECT RATING: 35 PROJECT RANKING: 50 |
| Penn Township (Centre County) R. R. 1, Box 15 Coburn, PA 16832 | COUNTY: Centre REGION: NC NPDES: PA0228681 | I: \$210,004 II: \$0 III: \$0 IV: \$0 | IVA: \$776,596 IVB: \$0 V: \$0 ELIB: \$986,600 | PROJECT NO.: CS422204-01 PROJ. TYPE: STP SS PROJECT RATING: 35 PROJECT RANKING: 51 |
| FACTORYVILLE BOROUGH P. O. BOX 77 FACTORYVILLE, PA 18419 | COUNTY: Wyoming REGION: NE NPDES: | I: \$550,000 II: \$0 III: \$0 | IVA: \$650,000 IVB: \$150,000 V: \$0 ELIB: \$1,350,000 | PROJECT NO.: CS422415-01 PROJ. TYPE: STPMOD PS INT SS PROJECT RATING: 35 PROJECT RANKING: 52 |
| Wilmington Township Sewer Authority R. D. 5, Box 469 New Castle, PA 16105 | COUNTY: Lawrence REGION: NW NPDES: | I: \$0 II: \$0 III: \$0 | IVA: \$3,029,065 IVB: \$0 V: \$0 ELIB: \$3,029,065 | PROJECT NO.: CS422231-01 PROJ. TYPE: PS SS PROJECT RATING: 35 PROJECT RANKING: 53 |
| Wilkes-Barre Township 150 Watson Street Wilkes-Barre, PA 18702 | COUNTY: Luzerne REGION: NE NPDES: N/A | I: \$0 II: \$0 III: \$400,000 IV: \$600,000 | IVA: \$1,200,000 IVB: \$600,000 V: \$0 ELIB: \$2,800,000 | PROJECT NO.: CS421943-01 PROJ. TYPE: SS SSREH INT PROJECT RATING: 34 PROJECT RANKING: 54 |
| Middlesex Township 133 Browns Hill Road Valencia, PA 16059 | COUNTY: Butler REGION: NW NPDES: N/A | I: \$5,050,000 II: \$0 III: \$0 | IVA: \$5,352,000 IVB: \$598,000 V: \$0 ELIB: \$11,000,000 | PROJECT NO.: CS422122-01 PROJ. TYPE: STP SS PS INT PROJECT RATING: 34 PROJECT RANKING: 55 |
| PERRY TOWNSHIP P. O. BOX 183 STAR JUNCTION, PA 15482 | COUNTY: Fayette REGION: SW NPDES: PA0252638 | I: \$0 II: \$1,160,000 III: \$0 | IVA: \$1,738,435 IVB: \$530,000 V: \$0 ELIB: \$3,428,435 | PROJECT NO.: CS422428-01 PROJ. TYPE: SS INT PS STP PROJECT RATING: 34 PROJECT RANKING: 56 |
| EAST HANOVER TOWNSHIP - DAIRY 8848 JONESTOWN ROAD GRANTVILLE, PA 17028 | COUNTY: Dauphin REGION: SC NPDES: | I: \$2,900,000 II: \$0 III: \$0 | IVA: \$150,000 IVB: \$1,750,000 V: \$0 ELIB: \$4,800,000 | PROJECT NO.: CS422466-01 PROJ. TYPE: STP, PS, INT, SS PROJECT RATING: 34 PROJECT RANKING: 57 |
| New Sewickley Township Municipal P. O. Box 65 Freedom, PA 15042 | COUNTY: Beaver REGION: SW NPDES: | I: \$0 II: \$0 III: \$0 | IVA: \$727,900 IVB: \$0 V: \$0 ELIB: \$727,900 | PROJECT NO.: CS422080-01 PROJ. TYPE: SS PROJECT RATING: 34 PROJECT RANKING: 58 |
| Union Township 3904 Finley Elrama Road Finleyville, PA 15332 | COUNTY: Washington REGION: SW NPDES: N/A | I: \$0 II: \$0 III: \$0 | IVA: \$1,300,000 IVB: \$482,530 V: \$0 ELIB: \$1,782,530 | PROJECT NO.: CS422176-01 PROJ. TYPE: PS INT SS PROJECT RATING: 34 PROJECT RANKING: 59 |

APPLICANT INFORMATION

NEEDS CATEGORIES

PROJECT INFORMATION

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|--|------------------------------|-------------------------|--|---|--|
| Independence-Cross Creek JSA P. O. Box 156 Avella, PA 15312 | COUNTY: REGION: NPDES: | Washington SW | I: \$1,348,000 II: \$0 III: \$0 \$4,642,221 | IVA: \$250,000 IVB: \$0 V: \$0 ELIB. \$6,240,221 | PROJECT NO.: CS422372-01 PROJ. TYPE: STP SS PS PROJECT RATING: 34 PROJECT RANKING: 60 |
| Jeddo Borough R. D. Box 1269 Freeland, PA 18224 | COUNTY: REGION: NPDES: | Luzerne NE N/A | I: \$0 II: \$0 III: \$0 \$0 | IVA: \$1,200,000 IVB: \$1,100,000 V: \$0 ELIB. \$2,300,000 | PROJECT NO.: CS421891-01 PROJ. TYPE: SS PS INT PROJECT RATING: 34 PROJECT RANKING: 61 |
| Conyngham Township P. O. Box 14 Wilburton, PA 17888 | COUNTY: REGION: NPDES: | Columbia NC N/A | I: \$0 II: \$0 III: \$0 \$0 | IVA: \$3,535,895 IVB: \$2,366,773 V: \$0 ELIB. \$5,902,668 | PROJECT NO.: CS421801-01 PROJ. TYPE: PS INT SS PROJECT RATING: 34 PROJECT RANKING: 62 |
| JAY TOWNSHIP SA 81 WEST TEABERRY STREET WEEDVILLE, PA 15868 | COUNTY: REGION: NPDES: | Elk NW | I: \$0 II: \$250,000 III: \$0 \$0 | IVA: \$2,897,777 IVB: \$0 V: \$0 ELIB. \$3,147,777 | PROJECT NO.: CS422403-01 PROJ. TYPE: STPMOD SS PROJECT RATING: 34 PROJECT RANKING: 63 |
| Decatur Township R. D. 2 McClure, PA 17841 | COUNTY: REGION: NPDES: | Mifflin SC N/A | I: \$2,290,339 II: \$0 III: \$0 \$0 | IVA: \$2,679,478 IVB: \$1,530,183 V: \$0 ELIB. \$6,500,000 | PROJECT NO.: CS421831-01 PROJ. TYPE: STP SS PS INT PROJECT RATING: 33 PROJECT RANKING: 64 |
| Gulich Township P. O. Box 305 Smithmill, PA 16680 | COUNTY: REGION: NPDES: | Clearfield NC N/A | I: \$371,300 II: \$0 III: \$0 \$0 | IVA: \$1,198,300 IVB: \$106,000 V: \$0 ELIB. \$1,675,600 | PROJECT NO.: CS421982-01 PROJ. TYPE: STP PS INT SS PROJECT RATING: 33 PROJECT RANKING: 65 |
| Corry City Municipal Authority 100 South Center Street Corry, PA 16407 | COUNTY: REGION: NPDES: | Erie NW PA0028223 | I: \$0 II: \$5,275,524 III: \$0 \$0 | IVA: \$0 IVB: \$0 V: \$716,585 ELIB. \$5,992,109 | PROJECT NO.: CS422275-01 PROJ. TYPE: STPMOD SS PROJECT RATING: 33 PROJECT RANKING: 66 |
| CENTER TOWNSHIP 100 MUNICIPAL DRIVE ROGERSVILLE, PA 15359 | COUNTY: REGION: NPDES: | Greene SW | I: \$486,000 II: \$0 III: \$0 \$0 | IVA: \$594,000 IVB: \$0 V: \$0 ELIB. \$1,080,000 | PROJECT NO.: CS421487-02 PROJ. TYPE: SS STP PROJECT RATING: 32 PROJECT RANKING: 67 |
| Winfield Township P. O. Box 65 Cabot, PA 16023 | COUNTY: REGION: NPDES: | Butler NW | I: \$66,000 II: \$554,400 III: \$0 \$0 | IVA: \$902,880 IVB: \$0 V: \$0 ELIB. \$1,523,280 | PROJECT NO.: CS422276-01 PROJ. TYPE: STP SS PROJECT RATING: 32 PROJECT RANKING: 68 |
| Vestaburg - New Hill Joint Authority P. O. Box 189 Vestaburg, PA 15368 | COUNTY: REGION: NPDES: | Washington SW N/A | I: \$0 II: \$0 III: \$0 \$1,200,000 | IVA: \$0 IVB: \$0 V: \$0 ELIB. \$1,200,000 | PROJECT NO.: CS422108-01 PROJ. TYPE: SSREH PROJECT RATING: 32 PROJECT RANKING: 69 |

APPLICANT INFORMATION

NEEDS CATEGORIES

PROJECT INFORMATION

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|--|------------------------------|-------------------------------|---------------------|--|-----------------------------|--|--|---|
| Newport Township 1002 Center Street Nanticoke, PA 18634 | COUNTY: REGION: NPDES: | Luzerne NE N/A | I: II: III A: | \$0 \$0 \$0 \$0 | IVA: IVB: V: ELIB. | \$250,000 \$0 \$0 \$250,000 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS422084-01 SS 31 70 |
| South Annville Township R. D. 4, Box 454 Lebanon, PA 17042 | COUNTY: REGION: NPDES: | Lebanon SC N/A | I: II: III A: | \$0 \$0 \$0 \$0 | IVA: IVB: V: ELIB. | \$3,300,000 \$0 \$0 \$3,300,000 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS421815-01 SS PS 31 71 |
| Conestoga Township P. O. Box 98 Conestoga, PA 17516 | COUNTY: REGION: NPDES: | Lancaster SC N/A | I: II: III A: | \$0 \$0 \$0 \$0 | IVA: IVB: V: ELIB. | \$0 \$1,725,000 \$0 \$1,725,000 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS421837-01 SS PS 31 72 |
| Foster Township 1000 Wyoming Street Freeland, PA 18224 | COUNTY: REGION: NPDES: | Luzerne NE PA0020435 | I: II: III A: | \$1,000,000 \$0 \$1,000,000 \$500,000 | IVA: IVB: V: ELIB. | \$0 \$0 \$0 \$2,500,000 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS421888-01 STPMOD SSREH PS 31 73 |
| PORTLAND BOROUGH P. O. BOX 476 PORTLAND, PA 18351 | COUNTY: REGION: NPDES: | Northampton NE N/A | I: II: III A: | \$1,267,772 \$0 \$0 \$0 | IVA: IVB: V: ELIB. | \$2,184,510 \$307,900 \$0 \$3,760,182 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS422419-01 STP PS INT SS 31 74 |
| Conemaugh Township 1120 Tire Hill Road Johnstown, PA 15905 | COUNTY: REGION: NPDES: | Somerset SW PA0217301 | I: II: III A: | \$2,770,000 \$0 \$0 \$0 | IVA: IVB: V: ELIB. | \$3,437,500 \$312,500 \$0 \$6,520,000 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS421479-01 STP SS PS INT 30 75 |
| Pulaski Township Municipal Authority R. D. 1, Box 1043 Pulaski, PA 16143 | COUNTY: REGION: NPDES: | Lawrence NW N/A | I: II: III A: | \$0 \$2,992,325 \$0 \$0 | IVA: IVB: V: ELIB. | \$6,968,895 \$0 \$0 \$9,961,220 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS421996-01 STP SS PS 30 76 |
| SOMERSET TOWNSHIP MA P. O. BOX 247 SOMERSET, PA 15501 | COUNTY: REGION: NPDES: | Somerset SW N/A | I: II: III A: | \$1,500,000 \$0 \$0 \$0 | IVA: IVB: V: ELIB. | \$1,305,000 \$1,309,500 \$0 \$4,114,500 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS422463-01 STP, PS, INT, SS 30 77 |
| SCRANTON SA 307 NORTH WASHINGTON AVE. SCRANTON, PA 18503 | COUNTY: REGION: NPDES: | Lackawanna NE PA0026492 | I: II: III A: | \$0 \$0 \$0 \$3,944,160 | IVA: IVB: V: ELIB. | \$0 \$0 \$0 \$3,944,160 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS422431-01 PSMOD 30 78 |
| WESTERN WESTMORELAND MA 12441 ROUTE 993 NORTH HUNTINGDON, PA 15642 | COUNTY: REGION: NPDES: | Westmoreland SW N/A | I: II: III A: | \$1,463,700 \$0 \$0 \$697,300 | IVA: IVB: V: ELIB. | \$0 \$0 \$0 \$2,161,000 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS422459-01 STPMOD, SSREHAB 30 79 |

APPLICANT INFORMATION

NEEDS CATEGORIES

PROJECT INFORMATION

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|--|------------------------------|----------------------|--------------------|--------------------------------|-----------------------------|--|--|--|
| HEMPFIELD TOWNSHP MA R. D. 6, BOX 501 GREENSBURG, PA 15601 | COUNTY: REGION: NPDES: | Westmoreland SW | I: II: IIIA: | \$0 \$0 \$0 \$0 | IVA: IVB: V: ELIB. | \$2,575,800 \$0 \$0 \$2,575,800 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS422425-01 SS 29 80 |
| Lower Burrell Municipal Authority Schreiber & Bethel Streets Lower Burrell, PA 15068 | COUNTY: REGION: NPDES: | Westmoreland SW | I: II: IIIA: | \$0 \$0 \$0 \$0 | IVA: IVB: V: ELIB. | \$1,500,000 \$0 \$0 \$1,500,000 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS422048-01 SS 29 81 |
| Upper Augusta Township Municipal R. R. 2, Box 398-A Sunbury, PA 17801 | COUNTY: REGION: NPDES: | Northumberland NC | I: II: IIIA: | \$256,500 \$0 \$0 \$0 | IVA: IVB: V: ELIB. | \$974,054 \$243,689 \$0 \$1,474,243 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS422172-01 PS SS 29 82 |
| Milton Regional SA Two Filbert Street, P. O. Box 150 Milton, PA 17847 | COUNTY: REGION: NPDES: | Northumberland NC | I: II: IIIA: | \$0 \$0 \$0 \$0 | IVA: IVB: V: ELIB. | \$7,525,340 \$645,496 \$0 \$8,170,836 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS422287-01 SS 29 83 |
| NEW BUFFALO BOROUGH P. O. BOX 245 NEW BUFFALO, PA 17069 | COUNTY: REGION: NPDES: | Perry SC | I: II: IIIA: | \$300,000 \$0 \$0 \$0 | IVA: IVB: V: ELIB. | \$325,000 \$175,000 \$0 \$800,000 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS422453-01 STP PS INT SS 29 84 |
| WAYNE TOWNSHIP MA 1418 Wampum Road, Rte. 288 Ellwood City, PA 16117 | COUNTY: REGION: NPDES: | Lawrence NW | I: II: IIIA: | \$0 \$0 \$0 \$0 | IVA: IVB: V: ELIB. | \$2,842,850 \$0 \$0 \$2,842,850 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS421828-01 SS, PS, FM 29 85 |
| Oxford Township P. O. Box 86 New Oxford, PA 17350 | COUNTY: REGION: NPDES: | Adams SC | I: II: IIIA: | \$0 \$0 \$0 \$0 | IVA: IVB: V: ELIB. | \$3,600,000 \$0 \$0 \$3,600,000 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS422025-01 SS PS 29 86 |
| CLINTON TWP R. R. 1, BOX 33 MONTGOMERY, PA 17752 | COUNTY: REGION: NPDES: | Lycoming NC | I: II: IIIA: | \$0 \$0 \$0 \$0 | IVA: IVB: V: ELIB. | \$600,000 \$0 \$0 \$600,000 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS422026-01 SS 29 87 |
| Rose Township Rte. 3, Box 143 Brookville, PA 15825 | COUNTY: REGION: NPDES: | Jefferson NW | I: II: IIIA: | \$0 \$0 \$0 \$0 | IVA: IVB: V: ELIB. | \$1,865,430 \$0 \$0 \$1,865,430 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS421914-01 SS 29 88 |
| Sergeant Township Box 1A, Clermont SR Mt. Jewett, PA 16740 | COUNTY: REGION: NPDES: | McKean NW | I: II: IIIA: | \$126,000 \$0 \$0 \$0 | IVA: IVB: V: ELIB. | \$363,255 \$0 \$0 \$489,255 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS421992-01 STP SS 29 89 |

APPLICANT INFORMATION

NEEDS CATEGORIES

PROJECT INFORMATION

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|---|------------------------------|---|---------------------|--|-----------------------------|---|--|--|
| Blaine Township 123 Main Street Taylorstown, PA 15365 | COUNTY: REGION: NPDES: | Washington SW N/A | I: II: III A: | \$0 \$300,000 \$0 \$0 | IVA: IVB: V: ELIB. | \$700,000 \$300,000 \$0 \$1,300,000 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS422171-01 STP INT SS 29 90 |
| Herndon Borough P. O. Box 385 Herndon, PA 17830 | COUNTY: REGION: NPDES: | Northumberland NC N/A | I: II: III A: | \$760,277 \$0 \$0 \$0 | IVA: IVB: V: ELIB. | \$1,801,976 \$103,983 \$0 \$2,666,236 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS422144-01 STPMOD SS 29 91 |
| BARKEYVILLE BOROUGH 137 OAK STREET HAR. R.ISVILLE, PA 16038 | COUNTY: REGION: NPDES: | Venango NW | I: II: III A: | \$0 \$0 \$0 \$0 | IVA: IVB: V: ELIB. | \$1,003,606 \$0 \$0 \$1,003,606 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS422399-01 SS 29 92 |
| Midway Sewer Authority P. O. Box 600 Midway, PA 15060 | COUNTY: REGION: NPDES: | Washington SW | I: II: III A: | \$1,800,000 \$0 \$0 \$0 | IVA: IVB: V: ELIB. | \$8,100,000 \$2,500,000 \$0 \$12,400,000 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS422071-01 STP SS PS INT 29 93 |
| Moon Township MA 1700 Beaver Grade Rd, Suite 200 Coraopolis, PA 15108 | COUNTY: REGION: NPDES: | Allegheny/ Beaver SW PA0046906 | I: II: III A: | \$1,920,000 \$0 \$0 \$0 | IVA: IVB: V: ELIB. | \$685,000 \$1,560,000 \$0 \$4,165,000 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS422374-01 STP PS SS 29 94 |
| LEETSDALE BOROUGH MA 5 SIXTH STREET LEETSDALE, PA 15056 | COUNTY: REGION: NPDES: | Allegheny SW | I: II: III A: | \$0 \$0 \$0 \$0 | IVA: IVB: V: ELIB. | \$0 \$860,000 \$0 \$860,000 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS422456-01 PSMOD 29 95 |
| Gratz Borough P. O. Box 305 Gratz, PA 17030 | COUNTY: REGION: NPDES: | Dauphin SC N/A | I: II: III A: | \$785,000 \$1,150,920 \$0 \$0 | IVA: IVB: V: ELIB. | \$0 \$0 \$0 \$1,935,920 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS421696-01 STP SS 29 96 |
| Fredericksburg Sewer & Water Authority P. O. Box 161 Fredericksburg, PA 17026 | COUNTY: REGION: NPDES: | Lebanon SC | I: II: III A: | \$1,873,380 \$0 \$0 \$0 | IVA: IVB: V: ELIB. | \$2,226,000 \$0 \$0 \$4,099,380 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS422303-01 STPMOD SS PS INT 29 97 |
| Meshoppen Borough P. O. Box 237 Meshoppen, PA 18630 | COUNTY: REGION: NPDES: | Wyoming NE | I: II: III A: | \$0 \$860,000 \$0 \$0 | IVA: IVB: V: ELIB. | \$989,703 \$290,000 \$0 \$2,139,703 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS422267-01 STP INT SS 29 98 |
| Scott Township 2600 Old Greentree Road Carnegie, PA 15106 | COUNTY: REGION: NPDES: | Allegheny SW N/A | I: II: III A: | \$0 \$0 \$5,949,317 \$0 | IVA: IVB: V: ELIB. | \$0 \$0 \$0 \$5,949,317 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS422170-01 SSREH 29 99 |

APPLICANT INFORMATION

NEEDS CATEGORIES

PROJECT INFORMATION

Sharon City
155 W. Connelly Boulevard
Sharon, PA 16146

COUNTY: Mercer
REGION: NW
NPDES: N/A

I: \$0
II: \$20,552,000
III: \$0
IV: \$0
V: \$0
ELIB: \$22,545,000

IV: \$0
IVB: \$1,993,000
V: \$0
ELIB: \$22,545,000

PROJECT NO.: CS422131-01
PROJ. TYPE: STPMOD INT
PROJECT RATING: 29
PROJECT RANKING: 100

CLIFFORD TOWNSHIP
P. O. BOX 339
CLIFFORD, PA 18413

COUNTY: Susquehanna
REGION: NE
NPDES:

I: \$0
II: \$0
III: \$0
IV: \$0
V: \$0
ELIB: \$1,903,000

IV: \$1,903,000
IVB: \$0
V: \$0
ELIB: \$1,903,000

PROJECT NO.: CS422414-01
PROJ. TYPE: SS
PROJECT RATING: 29
PROJECT RANKING: 101

NUANGOLA BOROUGH
5150 NUANGOLA ROAD
MOUNTAIN TOP, PA 18707

COUNTY: Luzerne
REGION: NE
NPDES:

I: \$500,000
II: \$0
III: \$0
IV: \$0
V: \$0
ELIB: \$4,500,000

IV: \$2,500,000
IVB: \$1,500,000
V: \$0
ELIB: \$4,500,000

PROJECT NO.: CS422413-01
PROJ. TYPE: STP SS INT
PROJECT RATING: 29
PROJECT RANKING: 102

Worthington-West Franklin Joint Mun
Auth
P. O. Box 0, R. D. 2, Box 40A
Worthington, PA 16262

COUNTY: Armstrong
REGION: SW
NPDES: N/A

I: \$2,300,000
II: \$0
III: \$0
IV: \$0
V: \$0
ELIB: \$8,200,000

IV: \$4,000,000
IVB: \$1,900,000
V: \$0
ELIB: \$8,200,000

PROJECT NO.: CS421481-01
PROJ. TYPE: STP SS PS INT
PROJECT RATING: 28
PROJECT RANKING: 103

BALDWIN BOROUGH
3344 CHURCHVIEW AVENUE
PITTSBURG, PA 15227

COUNTY: Allegheny
REGION: SW
NPDES: PA0025984

I: \$0
II: \$0
III: \$0
IV: \$0
V: \$0
ELIB: \$3,700,000

IV: \$0
IVB: \$0
V: \$0
ELIB: \$3,700,000

PROJECT NO.: CS422422-01
PROJ. TYPE: SSREH
PROJECT RATING: 28
PROJECT RANKING: 104

MCKEESPORT CITY
201 LYSLE BLVD
MCKEESP. O.RT, PA 15132

COUNTY: Allegheny
REGION: SW
NPDES: PA0026913

I: \$0
II: \$0
III: \$0
IV: \$0
V: \$0
ELIB: \$750,000

IV: \$0
IVB: \$0
V: \$0
ELIB: \$750,000

PROJECT NO.: CS422426-01
PROJ. TYPE: SSREH
PROJECT RATING: 28
PROJECT RANKING: 105

Ambridge Borough Municipal Authority
Municipal Building, 600 11th St.
Ambridge, PA 15003

COUNTY: Beaver
REGION: SW
NPDES:

I: \$1,800,000
II: \$0
III: \$0
IV: \$0
V: \$0
ELIB: \$2,000,000

IV: \$200,000
IVB: \$0
V: \$0
ELIB: \$2,000,000

PROJECT NO.: CS422322-01
PROJ. TYPE: STPMOD SS
PROJECT RATING: 28
PROJECT RANKING: 106

Upper Shenango Valley Water Poll Cont
P. O. Box 1449
Hermitage, PA 16148

COUNTY: Mercer
REGION: NW
NPDES: N/A

I: \$0
II: \$0
III: \$0
IV: \$0
V: \$0
ELIB: \$901,000

IV: \$0
IVB: \$0
V: \$0
ELIB: \$901,000

PROJECT NO.: CS422132-01
PROJ. TYPE: PS
PROJECT RATING: 28
PROJECT RANKING: 107

Edgewood Borough
2 Race Street
Edgewood, PA 15218

COUNTY: Allegheny
REGION: SW
NPDES:

I: \$0
II: \$0
III: \$0
IV: \$0
V: \$0
ELIB: \$359,880

IV: \$0
IVB: \$0
V: \$0
ELIB: \$359,880

PROJECT NO.: CS422325-01
PROJ. TYPE: SSREH
PROJECT RATING: 27
PROJECT RANKING: 108

Mount Oliver Borough
150 Brownsville Road
Pittsburgh, PA 15210

COUNTY: Allegheny
REGION: SW
NPDES:

I: \$0
II: \$0
III: \$0
IV: \$0
V: \$0
ELIB: \$672,250

IV: \$0
IVB: \$0
V: \$0
ELIB: \$672,250

PROJECT NO.: CS422243-01
PROJ. TYPE: SSREH
PROJECT RATING: 27
PROJECT RANKING: 109

APPLICANT INFORMATION

NEEDS CATEGORIES

PROJECT INFORMATION

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|---|------------------------------|-------------------------------|---|--|--|
| Ebensburg Borough Municipal Authority 300 W. High Street Ebensburg, PA 15931 | COUNTY: REGION: NPDES: | Cambria SW N/A | I: \$4,000,000 II: \$0 III: \$0 III: \$0 | IV: \$0 IVB: \$0 V: \$0 ELIB: \$4,000,000 | PROJECT NO.: CS422118-01 PROJ. TYPE: STPMOD PROJECT RATING: 27 PROJECT RANKING: 110 |
| Vernon Township Sanitary Authority 16678 McMath Avenue Meadville, PA 16335 | COUNTY: REGION: NPDES: | Crawford NW PA0025470 | I: \$0 II: \$0 III: \$0 III: \$0 | IV: \$1,674,000 IVB: \$1,130,000 V: \$0 ELIB: \$2,804,000 | PROJECT NO.: CS422354-01 PROJ. TYPE: SS PS FM PROJECT RATING: 26 PROJECT RANKING: 111 |
| Concord Township Sewer Authority P. O. Box 171 Concordville, PA 19331 | COUNTY: REGION: NPDES: | Delaware SE N/A | I: \$0 II: \$0 III: \$0 III: \$0 | IV: \$600,000 IVB: \$0 V: \$0 ELIB: \$600,000 | PROJECT NO.: CS422064-01 PROJ. TYPE: SS PROJECT RATING: 26 PROJECT RANKING: 112 |
| Cranberry Township State Route 257, P. O. Box 378 Seneca, PA 16346 | COUNTY: REGION: NPDES: | Venango NW | I: \$0 II: \$0 III: \$0 III: \$0 | IV: \$2,691,996 IVB: \$0 V: \$0 ELIB: \$2,691,996 | PROJECT NO.: CS422284-01 PROJ. TYPE: PS SS PROJECT RATING: 26 PROJECT RANKING: 113 |
| Greene Township 9333 Tate Road Erie, PA 16509 | COUNTY: REGION: NPDES: | Erie NW N/A | I: \$0 II: \$0 III: \$0 III: \$0 | IV: \$9,830,410 IVB: \$0 V: \$0 ELIB: \$9,830,410 | PROJECT NO.: CS421995-01 PROJ. TYPE: SS PROJECT RATING: 26 PROJECT RANKING: 114 |
| Falls Creek Borough Municipal Authority 117 Taylor Avenue Falls Creek, PA 15840 | COUNTY: REGION: NPDES: | Jefferson NW PA0027375 | I: \$0 II: \$0 III: \$0 III: \$0 | IV: \$1,940,000 IVB: \$0 V: \$0 ELIB: \$1,940,000 | PROJECT NO.: CS422321-01 PROJ. TYPE: PS SS PROJECT RATING: 26 PROJECT RANKING: 115 |
| Rush Township P. O. Box 152 Philipsburg, PA 16866 | COUNTY: REGION: NPDES: | Centre NC PA0037966 | I: \$0 II: \$0 III: \$0 III: \$0 | IV: \$1,234,945 IVB: \$191,755 V: \$0 ELIB: \$1,426,700 | PROJECT NO.: CS422395-01 PROJ. TYPE: SS INT PROJECT RATING: 26 PROJECT RANKING: 116 |
| LATROBE MA P. O. BOX 88 LATOBE, PA 15650 | COUNTY: REGION: NPDES: | Westmoreland SW | I: \$0 II: \$0 III: \$0 III: \$599,000 | IV: \$0 IVB: \$0 V: \$0 ELIB: \$599,000 | PROJECT NO.: CS422461-01 PROJ. TYPE: SSREHAB PROJECT RATING: 26 PROJECT RANKING: 117 |
| North East Township 10300 W. Main Road, P. O. Box 249 North East, PA 16428 | COUNTY: REGION: NPDES: | Erie NW N/A | I: \$0 II: \$0 III: \$0 III: \$0 | IV: \$7,150,000 IVB: \$0 V: \$0 ELIB: \$7,150,000 | PROJECT NO.: CS422126-01 PROJ. TYPE: SS PROJECT RATING: 26 PROJECT RANKING: 118 |
| Dudley-Carbon-Coalmont JMA P. O. Box 276 Dudley, PA 16634 | COUNTY: REGION: NPDES: | Huntingdon SC PA0246727 | I: \$0 II: \$0 III: \$0 III: \$0 | IV: \$900,000 IVB: \$0 V: \$0 ELIB: \$900,000 | PROJECT NO.: CS422335-01 PROJ. TYPE: SS PROJECT RATING: 26 PROJECT RANKING: 119 |

APPLICANT INFORMATION

NEEDS CATEGORIES

PROJECT INFORMATION

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|--|------------------------------|---|--|---|---|
| Silver Lake Township P. O. Box 1975 Brackney, PA 18812 | COUNTY: REGION: NPDES: | Susquehanna NE N/A | I: \$0 II: \$151,000 IIIA: \$0 \$0 | IVA: \$449,514 IVB: \$260,000 V: \$0 ELIB. \$860,514 | PROJECT NO.: CS422088-01 PROJ. TYPE: STPMOD SS INT PROJECT RATING: 26 PROJECT RANKING: 120 |
| HEMPFIELD TOWNSHIP MA R. D. 6, BOX 501 GREENSBURG, PA 15601 | COUNTY: REGION: NPDES: | Westmoreland SW PA0096211 | I: \$5,900,000 II: \$0 IIIA: \$0 \$0 | IVA: \$0 IVB: \$0 V: \$0 ELIB. \$5,900,000 | PROJECT NO.: CS422424-01 PROJ. TYPE: STPMOD PROJECT RATING: 26 PROJECT RANKING: 121 |
| KISKI VALLEY WPCA 1200 PINE CAMP ROAD LEECHBURG, PA 15656 | COUNTY: REGION: NPDES: | Armstrong SW IIIA: \$0 \$0 | I: \$602,800 II: \$0 IIIA: \$0 \$0 | IVA: \$0 IVB: \$2,018,000 V: \$2,620,800 ELIB. \$5,241,600 | PROJECT NO.: CS422455-01 PROJ. TYPE: PSREH STPMOD PROJECT RATING: 26 PROJECT RANKING: 122 |
| NEW MILFORD MA 175 MAIN ST., P. O. BOX 1111 NEW MILFORD, PA 18834 | COUNTY: REGION: NPDES: | Susquehanna NE IIIA: \$0 \$0 | I: \$0 II: \$0 IIIA: \$0 \$0 | IVA: \$1,400,000 IVB: \$1,170,000 V: \$0 ELIB. \$2,570,000 | PROJECT NO.: CS422418-01 PROJ. TYPE: PS INT SS PROJECT RATING: 26 PROJECT RANKING: 123 |
| Lock Haven City 20 E. Church Street Lock Haven, PA 17745 | COUNTY: REGION: NPDES: | Clinton NC IIIA: \$0 \$592,719 | I: \$2,536,011 II: \$0 IIIA: \$0 \$592,719 | IVA: \$0 IVB: \$0 V: \$0 ELIB. \$3,128,730 | PROJECT NO.: CS422294-01 PROJ. TYPE: STPMOD SS PROJECT RATING: 26 PROJECT RANKING: 124 |
| SCRANTON SA 307 NORTH WASHINGTON AVE. SCRANTON, PA 18503 | COUNTY: REGION: NPDES: | Lackawanna NE IIIA: \$0 \$0 | I: \$6,497,000 II: \$0 IIIA: \$0 \$0 | IVA: \$0 IVB: \$0 V: \$0 ELIB. \$6,497,000 | PROJECT NO.: CS422432-01 PROJ. TYPE: STPMOD PROJECT RATING: 26 PROJECT RANKING: 125 |
| Cambria Twp SA P. O. BOX 247 REVLOC, PA 15948 | COUNTY: REGION: NPDES: | Cambria SW IIIA: \$0 \$320,000 | I: \$0 II: \$1,480,000 IIIA: \$0 \$320,000 | IVA: \$0 IVB: \$0 V: \$0 ELIB. \$1,800,000 | PROJECT NO.: CS422441-01 PROJ. TYPE: STPMOD SSREHAB PROJECT RATING: 25 PROJECT RANKING: 126 |
| SUGARCREEK BOROUGH 212 FOX STREET FRANKLIN, PA 16323 | COUNTY: REGION: NPDES: | Venango NW IIIA: \$0 \$158,000 | I: \$0 II: \$0 IIIA: \$0 \$158,000 | IVA: \$3,194,206 IVB: \$818,905 V: \$0 ELIB. \$4,171,111 | PROJECT NO.: CS422411-01 PROJ. TYPE: SS, PS, FM, SSREH, PROJECT RATING: 25 PROJECT RANKING: 127 |
| HOLLIDAYSBURG SA 401 BLAIR STREET HOLLISDAYSBURG, PA 16648 | COUNTY: REGION: NPDES: | Blair SC PA0043273 | I: \$0 II: \$0 IIIA: \$0 \$0 | IVA: \$990,385 IVB: \$1,586,000 V: \$0 ELIB. \$2,576,385 | PROJECT NO.: CS422392-01 PROJ. TYPE: INT SS PROJECT RATING: 25 PROJECT RANKING: 128 |
| Clearfield Municipal Authority 107 East Market Street Clearfield, PA 16830 | COUNTY: REGION: NPDES: | Clearfield NC PA0026310 | I: \$1,870,000 II: \$0 IIIA: \$75,000 \$175,000 | IVA: \$0 IVB: \$0 V: \$0 ELIB. \$2,120,000 | PROJECT NO.: CS422390-01 PROJ. TYPE: STPMOD INT PROJECT RATING: 25 PROJECT RANKING: 129 |

APPLICANT INFORMATION

NEEDS CATEGORIES

PROJECT INFORMATION

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|--|---|--|---|---|
| Northern Blair County RSA Washington Avenue & Third Street Tyrone, PA 16686 | COUNTY: Blair REGION: SC NPDES: | I: \$1,054,000 II: \$0 III A: \$0 \$0 | IVA: \$0 IVB: \$0 V: \$0 ELIB. \$1,054,000 | PROJECT NO.: CS422368-01 PROJ. TYPE: STPMOD PROJECT RATING: 25 PROJECT RANKING: 130 |
| Quakertown Borough P. O. Box 727 Quakertown, PA 18951 | COUNTY: Bucks REGION: SE NPDES: | I: \$0 II: \$0 III A: \$0 \$3,408,280 | IVA: \$0 IVB: \$0 V: \$0 ELIB. \$3,408,280 | PROJECT NO.: CS422352-01 PROJ. TYPE: SSREH PROJECT RATING: 25 PROJECT RANKING: 131 |
| Bristol Township Authority 2501 Bath Road Bristol, PA 19007 | COUNTY: Bucks REGION: SE NPDES: | I: \$150,000 II: \$0 III A: \$0 \$2,685,000 | IVA: \$0 IVB: \$0 V: \$0 ELIB. \$2,835,000 | PROJECT NO.: CS422396-01 PROJ. TYPE: PS SSREH FM PROJECT RATING: 25 PROJECT RANKING: 132 |
| HUNTINGDON BOROUGH WASHINGTON STREET HUNTINGDON, PA 16652 | COUNTY: Huntingdon REGION: SC NPDES: | I: \$0 II: \$0 III A: \$0 \$0 | IVA: \$0 IVB: \$900,000 V: \$0 ELIB. \$900,000 | PROJECT NO.: CS422467-01 PROJ. TYPE: INT PROJECT RATING: 25 PROJECT RANKING: 133 |
| Oley Township Municipal Authority P. O. Box 19 Oley, PA 19547 | COUNTY: Berks REGION: SC NPDES: N/A | I: \$0 II: \$996,000 III A: \$0 \$0 | IVA: \$0 IVB: \$0 V: \$0 ELIB. \$996,000 | PROJECT NO.: CS422021-01 PROJ. TYPE: STPMOD PROJECT RATING: 25 PROJECT RANKING: 134 |
| Elkland Borough Authority 105 Parkhurst Street Elkland, PA 16920 | COUNTY: Tioga REGION: NC NPDES: PA0113398 | I: \$150,480 II: \$58,520 III A: \$0 \$0 | IVA: \$0 IVB: \$0 V: \$0 ELIB. \$209,000 | PROJECT NO.: CS421963-01 PROJ. TYPE: STPMOD PROJECT RATING: 25 PROJECT RANKING: 135 |
| North East Borough 31 W. MAIN STREET North East, PA 16428 | COUNTY: Erie REGION: NW NPDES: N/A | I: \$10,982,000 II: \$0 III A: \$0 \$0 | IVA: \$0 IVB: \$0 V: \$0 ELIB. \$10,982,000 | PROJECT NO.: CS422125-01 PROJ. TYPE: STPMOD PROJECT RATING: 25 PROJECT RANKING: 136 |
| WASHINGTON TOWNSHIP MA 283 PINE RUN CHURCH RD. APOLLO, PA 15613 | COUNTY: Westmoreland REGION: SW NPDES: | I: \$0 II: \$0 III A: \$0 \$0 | IVA: \$4,200,000 IVB: \$0 V: \$0 ELIB. \$4,200,000 | PROJECT NO.: CS422430-01 PROJ. TYPE: SS PROJECT RATING: 23 PROJECT RANKING: 137 |
| Elk Lick Twp - SS System 1507 St. Paul Rd. P. O. Box 55 West Salisbury, PA 15565 | COUNTY: Somerset REGION: SW NPDES: | I: \$789,000 II: \$0 III A: \$0 \$0 | IVA: \$1,621,000 IVB: \$1,690,000 V: \$0 ELIB. \$4,100,000 | PROJECT NO.: CS422451-01 PROJ. TYPE: SS PS INT STPMOD PROJECT RATING: 23 PROJECT RANKING: 138 |
| East Brandywine Township 1214 Horseshoe Pike Downingtown, PA 19335 | COUNTY: Chester REGION: SE NPDES: N/A | I: \$0 II: \$0 III A: \$0 \$0 | IVA: \$600,000 IVB: \$0 V: \$0 ELIB. \$600,000 | PROJECT NO.: CS422099-01 PROJ. TYPE: SS PS PROJECT RATING: 23 PROJECT RANKING: 139 |

APPLICANT INFORMATION

NEEDS CATEGORIES

PROJECT INFORMATION

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|--|------------------------------|---------------------|---------------------|--|-----------------------------|--|--|--|
| East Allen Township 5344 Nor-bath Boulevard Northampton, PA 18067 | COUNTY: REGION: NPDES: | Northampton NE | I: II: III A: | \$0 \$0 \$0 \$0 | IVA: IVB: V: ELIB. | \$262,520 \$264,880 \$0 \$527,400 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS422273-01 INT SS 23 140 |
| Mid Mon Valley P. O. Box 197 Allenport, PA 15412 | COUNTY: REGION: NPDES: | Washington SW | I: II: III A: | \$750,000 \$0 \$0 \$0 | IVA: IVB: V: ELIB. | \$0 \$652,535 \$0 \$1,402,535 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS422373-01 STPMOD PS 23 141 |
| Beavertown Municipal Authority 419 Old Orchard Drive Beavertown, PA 17813 | COUNTY: REGION: NPDES: | Snyder NC | I: II: III A: | \$1,766,596 \$361,833 \$0 \$380,814 | IVA: IVB: V: ELIB. | \$0 \$442,807 \$0 \$2,952,050 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS422137-01 STPMOD INT 23 142 |
| Brockway Area Sewage Authority 501 Main Street Brockway, PA 15824 | COUNTY: REGION: NPDES: | Jefferson/Elk NW | I: II: III A: | \$0 \$8,373,305 \$750,000 \$0 | IVA: IVB: V: ELIB. | \$6,582,715 \$520,000 \$0 \$16,226,020 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS421910-01 STP PS INT SS I/I 23 143 |
| FOXBURG AREA W&SA P. O. Box 2 Foxburg, PA 16036 | COUNTY: REGION: NPDES: | Clarion NW | I: II: III A: | \$28,600 \$0 \$329,924 \$0 | IVA: IVB: V: ELIB. | \$0 \$0 \$0 \$358,524 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS422386-01 STPMOD 23 144 |
| Big Beaver Boro - Stockman Run Sewer 120 Brighton Street Racine, PA 15010 | COUNTY: REGION: NPDES: | Beaver SW | I: II: III A: | \$0 \$0 \$0 \$0 | IVA: IVB: V: ELIB. | \$1,190,587 \$500,000 \$0 \$1,690,587 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS422449-01 SS INT PS 23 145 |
| Fredericksburg Water & Sewer Authority 150 S. Pine Grove Street Fredericksburg, PA 17026 | COUNTY: REGION: NPDES: | Lebanon SC | I: II: III A: | \$0 \$450,000 \$0 \$0 | IVA: IVB: V: ELIB. | \$300,000 \$0 \$0 \$750,000 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS421924-01 STPMOD SS 23 146 |
| Redbank Valley Municipal Authority 243 Broad Street New Bethlehem, PA 16242 | COUNTY: REGION: NPDES: | Clarion NW | I: II: III A: | \$1,639,000 \$0 \$1,435,000 \$0 | IVA: IVB: V: ELIB. | \$4,089,000 \$2,722,000 \$0 \$9,885,000 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS421900-01 STPMOD SS 23 147 |
| Locust Township R. R. 3 Box 119A Catawissa, PA 17820 | COUNTY: REGION: NPDES: | Columbia NC | I: II: III A: | \$464,671 \$95,174 \$0 \$0 | IVA: IVB: V: ELIB. | \$1,031,206 \$82,407 \$0 \$1,673,458 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS422140-01 STP SS INT 23 148 |
| NORTH AND SOUTH SHENANGO TWP 3397 DAM ROAD JAMESTOWN, PA 16134 | COUNTY: REGION: NPDES: | Crawford NW | I: II: III A: | \$0 \$0 \$0 \$0 | IVA: IVB: V: ELIB. | \$1,838,375 \$0 \$0 \$1,838,375 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS422409-01 SS 23 149 |

APPLICANT INFORMATION

NEEDS CATEGORIES

PROJECT INFORMATION

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|---|------------------------------|--------------------------------|---------------------|----------------------------------|-----------------------------|--|--|---------------------------------------|
| STONEBORO BOROUGH P. O. BOX 146 STONEBORO, PA 16153 | COUNTY: REGION: NPDES: | Mercer NW | I: II: III A: | \$0 \$0 \$0 \$0 | IVA: IVB: V: ELIB. | \$492,000 \$0 \$0 \$492,000 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS422410-01 SS 23 150 |
| East Penn Township 288 Schleicher Avenue Lehighton, PA 18235 | COUNTY: REGION: NPDES: | Carbon NE N/A | I: II: III A: | \$0 \$0 \$0 \$0 | IVA: IVB: V: ELIB. | \$2,620,000 \$540,000 \$0 \$3,160,000 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS421679-01 SS INT 23 151 |
| New Castle Sanitary Authority 110 E. Washington Street New Castle, PA 16101 | COUNTY: REGION: NPDES: | Lawrence NW N/A | I: II: III A: | \$0 \$0 \$0 \$0 | IVA: IVB: V: ELIB. | \$0 \$8,000,000 \$0 \$8,000,000 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS421823-01 SSREH INT 23 152 |
| Hallstead-Great Bend Joint Sewer Authority P. O. Box 757 Great Bend, PA 18821 | COUNTY: REGION: NPDES: | Susquehanna NE PA0060518 | I: II: III A: | \$1,250,000 \$0 \$0 \$0 | IVA: IVB: V: ELIB. | \$475,000 \$0 \$0 \$1,725,000 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS421817-01 STPMOD SS 23 153 |
| ROSTRAVER TOWNSHIP SA 202 PORT ROYAL RD. ROSTRAVER, PA 15012 | COUNTY: REGION: NPDES: | Westmoreland SW | I: II: III A: | \$0 \$0 \$0 \$0 | IVA: IVB: V: ELIB. | \$4,200,000 \$1,500,000 \$0 \$5,700,000 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS422429-01 SS PS 22 154 |
| West Mahanoy Township Authority 190 Pennsylvania Avenue Shenandoah Height, PA 17976 | COUNTY: REGION: NPDES: | Schuylkill NE N/A | I: II: III A: | \$0 \$0 \$0 \$0 | IVA: IVB: V: ELIB. | \$3,375,000 \$3,375,000 \$0 \$6,750,000 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS421906-01 SS PS INT 22 155 |
| Berwick Area Joint Sewer Authority 344 Market Street Berwick, PA 18603 | COUNTY: REGION: NPDES: | Columbia NC PA0023248 | I: II: III A: | \$0 \$0 \$0 \$0 | IVA: IVB: V: ELIB. | \$0 \$0 \$875,375 \$875,375 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS422293-01 INT 22 156 |
| MEYERSDALE BOROUGH 613 SECOND ST., P. O. BOX 60 MEYERSDALE, PA 15552 | COUNTY: REGION: NPDES: | Somerset SW PA0024481 | I: II: III A: | \$0 \$0 \$0 \$0 | IVA: IVB: V: ELIB. | \$0 \$0 \$3,000,000 \$3,000,000 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS422427-01 CS 22 157 |
| Cambridge Springs Borough 1611 Carringer Street Cambridge Springs, PA 16403 | COUNTY: REGION: NPDES: | Crawford NW N/A | I: II: III A: | \$0 \$2,100,000 \$0 \$0 | IVA: IVB: V: ELIB. | \$0 \$0 \$0 \$2,100,000 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS421993-01 STPMOD 22 158 |
| Todd Township 22622 Great Cove Road McConnellsburg, PA 17233 | COUNTY: REGION: NPDES: | Fulton SC | I: II: III A: | \$196,775 \$0 \$0 \$0 | IVA: IVB: V: ELIB. | \$0 \$0 \$0 \$196,775 | PROJECT NO.: PROJ. TYPE: PROJECT RATING: PROJECT RANKING: | CS422337-01 STPMOD 22 159 |

APPLICANT INFORMATION

NEEDS CATEGORIES

PROJECT INFORMATION

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|--|--|--|---|---|
| Penn Township 260 Lewis Road West Grove, PA 19390 | COUNTY: Chester REGION: SE NPDES: | I: \$0 II: \$550,000 III: \$0 IV: \$0 | IVA: \$0 IVB: \$160,000 V: \$0 ELIB: \$710,000 | PROJECT NO.: CS422232-01 PROJ. TYPE: STPMOD FM PROJECT RATING: 22 PROJECT RANKING: 160 |
| SANDY TOWNSHIP 1094 CHESTNUT AVENUE DUBOIS, PA 15801 | COUNTY: Clearfield REGION: NC NPDES: | I: \$0 II: \$0 III: \$0 IV: \$4,800,000 | IVA: \$0 IVB: \$0 V: \$0 ELIB: \$4,800,000 | PROJECT NO.: CS422454-01 PROJ. TYPE: SSREH PROJECT RATING: 21 PROJECT RANKING: 161 |
| Brownsville MA - SS Improv. Proj Phase I P. O. Box 330 Brownsville, PA 15417 | COUNTY: Fayette REGION: SW NPDES: | I: \$7,515,000 II: \$0 III: \$0 IV: \$0 | IVA: \$0 IVB: \$0 V: \$0 ELIB: \$7,515,000 | PROJECT NO.: CS422450-01 PROJ. TYPE: STP, PS PROJECT RATING: 21 PROJECT RANKING: 162 |
| BUTLER TOWNSHIP-TERRACE 415 WEST BUTLER DR DRUMS, PA 18222 | COUNTY: Luzerne REGION: NE NPDES: | I: \$0 II: \$0 III: \$0 IV: \$0 | IVA: \$347,000 IVB: \$0 V: \$0 ELIB: \$347,000 | PROJECT NO.: CS422469-01 PROJ. TYPE: SS PROJECT RATING: 21 PROJECT RANKING: 163 |
| Girard Township 10140 Ridge Road Girard, PA 16417 | COUNTY: Erie REGION: NW NPDES: N/A | I: \$0 II: \$0 III: \$0 IV: \$0 | IVA: \$5,098,100 IVB: \$0 V: \$0 ELIB: \$5,098,100 | PROJECT NO.: CS422124-01 PROJ. TYPE: SS PROJECT RATING: 21 PROJECT RANKING: 164 |
| Hopewell Township 1700 Clark Boulevard Aliquippa, PA 15001 | COUNTY: Beaver REGION: SW NPDES: PA0026328 | I: \$0 II: \$0 III: \$0 IV: \$0 | IVA: \$0 IVB: \$770,000 V: \$0 ELIB: \$770,000 | PROJECT NO.: CS422387-01 PROJ. TYPE: INT SS PROJECT RATING: 20 PROJECT RANKING: 165 |
| ELLPORT BOROUGH 313 BURNS AVENUE ELLWORD CITY, PA 16117 | COUNTY: Lawrence REGION: NW NPDES: | I: \$1,750,000 II: \$0 III: \$0 IV: \$0 | IVA: \$0 IVB: \$0 V: \$0 ELIB: \$1,750,000 | PROJECT NO.: CS422402-01 PROJ. TYPE: STPMOD PROJECT RATING: 20 PROJECT RANKING: 166 |
| Muddy Run RA P. O. Box 474 Madera, PA 16661 | COUNTY: Clearfield REGION: NC NPDES: PA0228672 | I: \$475,000 II: \$0 III: \$0 IV: \$0 | IVA: \$125,000 IVB: \$510,000 V: \$0 ELIB: \$1,110,000 | PROJECT NO.: CS422377-01 PROJ. TYPE: STP PS SS PROJECT RATING: 20 PROJECT RANKING: 167 |
| Leechburg Borough 260 Market Street Leechburg, PA 15656 | COUNTY: Armstrong REGION: SW NPDES: | I: \$0 II: \$0 III: \$0 IV: \$1,722,635 | IVA: \$0 IVB: \$0 V: \$0 ELIB: \$1,722,635 | PROJECT NO.: CS422241-01 PROJ. TYPE: SS PROJECT RATING: 20 PROJECT RANKING: 168 |
| North Apollo Borough P. O. Box 501 North Apollo, PA 15673 | COUNTY: Armstrong REGION: SW NPDES: | I: \$0 II: \$0 III: \$0 IV: \$889,486 | IVA: \$0 IVB: \$0 V: \$0 ELIB: \$889,486 | PROJECT NO.: CS422317-01 PROJ. TYPE: SSREH PROJECT RATING: 20 PROJECT RANKING: 169 |

APPLICANT INFORMATION

NEEDS CATEGORIES

PROJECT INFORMATION

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|---|------------------------------|---|--|---|---|
| WINDBER AREA AUTHORITY 1700 STOCKHOLM AVE WINDBER, PA 15963 | COUNTY: REGION: NPDES: | Cambria/ Somerset SW | I: \$19,500,000 II: \$0 IIIA: \$0 III: \$0 | IVA: \$0 IVB: \$0 V: \$0 ELIB. \$19,500,000 | PROJECT NO.: CS422464-01 PROJ. TYPE: STPMOD PROJECT RATING: 20 PROJECT RANKING: 170 |
| STONYCREEK TWP 1610 BEDFORD ST. JOHNSTOWN, PA 15902 | COUNTY: REGION: NPDES: | CAMBRIA SW | I: \$0 II: \$0 IIIA: \$0 III: \$745,000 | IVA: \$155,000 IVB: \$0 V: \$0 ELIB. \$900,000 | PROJECT NO.: CS422452-01 PROJ. TYPE: SSREH SS PROJECT RATING: 20 PROJECT RANKING: 171 |
| Moshannon Valley JSA P. O. Box 581 Phillipsburg, PA 16866 | COUNTY: REGION: NPDES: | Clearfield NC PA0037966 | I: \$4,365,180 II: \$0 IIIA: \$0 III: \$0 | IVA: \$0 IVB: \$0 V: \$0 ELIB. \$4,365,180 | PROJECT NO.: CS422440-01 PROJ. TYPE: STPMOD PROJECT RATING: 20 PROJECT RANKING: 172 |
| Apollo Borough 45 N. Pennsylvania Avenue Apollo, PA 15613 | COUNTY: REGION: NPDES: | Armstrong SW N/A | I: \$0 II: \$0 IIIA: \$0 III: \$0 | IVA: \$0 IVB: \$0 V: \$3,950,125 ELIB. \$3,950,125 | PROJECT NO.: CS422221-01 PROJ. TYPE: SS PROJECT RATING: 20 PROJECT RANKING: 173 |
| Carlisle Suburban Authority 240 Clearwater Drive Carlisle, PA 17013 | COUNTY: REGION: NPDES: | Cumberland SC | I: \$0 II: \$1,200,000 IIIA: \$0 III: \$0 | IVA: \$3,400,000 IVB: \$4,000,000 V: \$0 ELIB. \$8,600,000 | PROJECT NO.: CS422302-01 PROJ. TYPE: STP PS INT SS PROJECT RATING: 20 PROJECT RANKING: 174 |
| Reading City City Hall, 815 Washington St. Reading, PA 19601 | COUNTY: REGION: NPDES: | Berks SC N/A | I: \$8,000,000 II: \$0 IIIA: \$0 III: \$6,000,000 | IVA: \$0 IVB: \$0 V: \$0 ELIB. \$14,000,000 | PROJECT NO.: CS422022-01 PROJ. TYPE: STPMOD SSREH PROJECT RATING: 20 PROJECT RANKING: 175 |
| Windber Area Authority 1700 Stockholm Ave Windber, PA 15963 | COUNTY: REGION: NPDES: | Somerset/ Cambria SW PA0026778 | I: \$0 II: \$0 IIIA: \$0 III: \$4,900,000 | IVA: \$0 IVB: \$0 V: \$0 ELIB. \$4,900,000 | PROJECT NO.: CS422369-01 PROJ. TYPE: SSREHAB PROJECT RATING: 19 PROJECT RANKING: 176 |
| Cambridge Area JTA 161 CARRINGER STREET CAMBRIDGE, PA 16403 | COUNTY: REGION: NPDES: | Crawford NW | I: \$0 II: \$0 IIIA: \$0 III: \$0 | IVA: \$115,560 IVB: \$444,640 V: \$0 ELIB. \$560,200 | PROJECT NO.: CS422444-01 PROJ. TYPE: SS INT PROJECT RATING: 19 PROJECT RANKING: 177 |
| Cambridge Township 22530 Electric Drive Cambridge Springs, PA 16403 | COUNTY: REGION: NPDES: | Crawford NW | I: \$0 II: \$0 IIIA: \$0 III: \$0 | IVA: \$0 IVB: \$309,745 V: \$0 ELIB. \$309,745 | PROJECT NO.: CS422277-01 PROJ. TYPE: PS FM PROJECT RATING: 19 PROJECT RANKING: 178 |
| Brownsville Municipal Authority 200 Bank Street Brownsville, PA 15417 | COUNTY: REGION: NPDES: | Fayette SW N/A | I: \$2,000,000 II: \$0 IIIA: \$0 III: \$0 | IVA: \$0 IVB: \$0 V: \$0 ELIB. \$2,000,000 | PROJECT NO.: CS422112-01 PROJ. TYPE: STPMOD PROJECT RATING: 19 PROJECT RANKING: 179 |

APPLICANT INFORMATION

NEEDS CATEGORIES

PROJECT INFORMATION

| | | | | | |
|--|------------------------------|---------------------------|--|---|--|
| CRANBERRY TWP MS&WA 2525 ROCHESTER RD., SUITE 700 CRANBERRY TWP, PA 16066 | COUNTY: REGION: NPDES: | Butler NW PA0024571 | I: \$0 II: \$20,000,000 III: \$0 IV: \$0 | IVA: \$0 IVB: \$0 V: \$0 ELIB. \$20,000,000 | PROJECT NO.: CS421917-01 PROJ. TYPE: STPMOD PROJECT RATING: 19 PROJECT RANKING: 180 |
| Grove City Borough 123 W. Main St, P. O. Box 110 Grove City, PA 16127 | COUNTY: REGION: NPDES: | Mercer/Butler NW | I: \$0 II: \$6,216,100 III: \$2,895,900 IV: \$0 | IVA: \$0 IVB: \$0 V: \$0 ELIB. \$9,112,000 | PROJECT NO.: CS422281-01 PROJ. TYPE: STPMOD SS PROJECT RATING: 19 PROJECT RANKING: 181 |
| Mount Pocono Municipal Authority 303 Pocono Boulevard Mount Pocono, PA 18344 | COUNTY: REGION: NPDES: | Monroe NE | I: \$2,171,000 II: \$480,000 III: \$0 IV: \$0 | IVA: \$0 IVB: \$0 V: \$0 ELIB. \$2,651,000 | PROJECT NO.: CS422268-01 PROJ. TYPE: STPMOD PROJECT RATING: 19 PROJECT RANKING: 182 |
| Westfall Township P. O. Box 247 Matamoras, PA 18336 | COUNTY: REGION: NPDES: | Pike NE | I: \$0 II: \$0 III: \$0 IV: \$0 | IVA: \$3,368,810 IVB: \$0 V: \$0 ELIB. \$3,368,810 | PROJECT NO.: CS422272-01 PROJ. TYPE: SS PROJECT RATING: 19 PROJECT RANKING: 183 |
| Hermitage Municipal Authority 800 N. Hermitage Road Hermitage, PA 16148 | COUNTY: REGION: NPDES: | Mercer NW N/A | I: \$1,500,000 II: \$0 III: \$0 IV: \$0 | IVA: \$0 IVB: \$3,950,000 V: \$0 ELIB. \$5,450,000 | PROJECT NO.: CS422130-01 PROJ. TYPE: STPMOD INT PROJECT RATING: 19 PROJECT RANKING: 184 |
| Upper Frederick Township 205 Big Road Obelisk, PA 19492 | COUNTY: REGION: NPDES: | Montgomery SE N/A | I: \$650,000 II: \$0 III: \$0 IV: \$0 | IVA: \$0 IVB: \$0 V: \$0 ELIB. \$650,000 | PROJECT NO.: CS422101-01 PROJ. TYPE: STPMOD PROJECT RATING: 19 PROJECT RANKING: 185 |
| MIDDLEBORO MA P. O. BOX 189 MCKEAN, PA 16426 | COUNTY: REGION: NPDES: | Erie NW | I: \$0 II: \$602,400 III: \$0 IV: \$0 | IVA: \$0 IVB: \$0 V: \$0 ELIB. \$602,400 | PROJECT NO.: CS422405-01 PROJ. TYPE: STPMOD PROJECT RATING: 19 PROJECT RANKING: 186 |
| MILFORD WATER AUTHORITY P. O. BOX 459 MILFORD, PA 18337 | COUNTY: REGION: NPDES: | Pike NE | I: \$0 II: \$0 III: \$0 IV: \$0 | IVA: \$2,863,000 IVB: \$0 V: \$0 ELIB. \$2,863,000 | PROJECT NO.: CS422417-01 PROJ. TYPE: SS PROJECT RATING: 19 PROJECT RANKING: 187 |
| Clearfield Boro Phase I SS Replacement 6 South Front Street Clearfield, PA 16830 | COUNTY: REGION: NPDES: | Clearfield NC | I: \$0 II: \$0 III: \$0 IV: \$10,900,000 | IVA: \$0 IVB: \$0 V: \$0 ELIB. \$10,900,000 | PROJECT NO.: CS422448-01 PROJ. TYPE: SSREHAB PROJECT RATING: 18 PROJECT RANKING: 188 |
| NESHANNOCK TOWNSHIP SD 3131 MERRER ROAD NEW CASTLE, PA 16105 | COUNTY: REGION: NPDES: | Lawrence NW | I: \$0 II: \$0 III: \$0 IV: \$0 | IVA: \$0 IVB: \$4,250,000 V: \$0 ELIB. \$4,250,000 | PROJECT NO.: CS422407-01 PROJ. TYPE: PS FM INT PROJECT RATING: 18 PROJECT RANKING: 189 |

APPLICANT INFORMATION

NEEDS CATEGORIES

PROJECT INFORMATION

NESHANNOCK TOWNSHIP SD
3131 MERRER ROAD
NEW CASTLE, PA 16105

COUNTY: Lawrence
REGION: NW
NPDES:
I: \$0
II: \$0
III: \$0
III: \$0

IVA: \$0
IVB: \$1,390,000
V: \$0
ELIB: \$1,390,000

PROJECT NO.: CS422408-01
PROJ. TYPE: INT
PROJECT RATING: 18
PROJECT RANKING: 190

Tunkhannock Township
R. D. 2, Box 233A
Tunkhannock, PA 18657

COUNTY: Wyoming
REGION: NE
NPDES: N/A
I: \$0
II: \$0
III: \$0
III: \$0

IVA: \$2,000,000
IVB: \$0
V: \$0
ELIB: \$2,000,000

PROJECT NO.: CS421945-01
PROJ. TYPE: SS PS
PROJECT RATING: 17
PROJECT RANKING: 191

Bedminster Township Authority
Bedminster Road
Bedminster, PA 18910

COUNTY: Bucks
REGION: SE
NPDES: N/A
I: \$0
II: \$400,000
III: \$0
III: \$0

IVA: \$0
IVB: \$0
V: \$0
ELIB: \$400,000

PROJECT NO.: CS422100-01
PROJ. TYPE: STP
PROJECT RATING: 17
PROJECT RANKING: 192

Lackawanna River Basin Sewer
Authority
P. O. Box 9068
Dickson City, PA 18519

COUNTY: Lackawanna
REGION: NE
NPDES: N/A
I: \$0
II: \$0
III: \$350,000
III: \$0

IVA: \$290,000
IVB: \$4,485,000
V: \$0
ELIB: \$5,125,000

PROJECT NO.: CS421790-01
PROJ. TYPE: I/I INT SS
PROJECT RATING: 17
PROJECT RANKING: 193

Lower Bucks County Joint Municipal
7811 New Falls Road
Levittown, PA 19055

COUNTY: Bucks
REGION: SE
NPDES:
I: \$0
II: \$0
III: \$0
III: \$0

IVA: \$0
IVB: \$200,000
V: \$0
ELIB: \$200,000

PROJECT NO.: CS422228-01
PROJ. TYPE: PSMOD
PROJECT RATING: 17
PROJECT RANKING: 194

Butler Township
R. D. 3, Box 796B
Drums, PA 18222

COUNTY: Luzerne
REGION: NE
NPDES: N/A
I: \$5,681,250
II: \$0
III: \$0
III: \$0

IVA: \$2,053,188
IVB: \$0
V: \$0
ELIB: \$7,734,438

PROJECT NO.: CS421884-01
PROJ. TYPE: STPMOD SS
PROJECT RATING: 16
PROJECT RANKING: 195

Coaldale-Lansford-Summit Hill Sewer
6 Coal Street
Lansford, PA 18232

COUNTY: Schuylkill
REGION: NE
NPDES: PA0026476
I: \$1,000,000
II: \$0
III: \$0
III: \$1,000,000

IVA: \$0
IVB: \$0
V: \$1,000,000
ELIB: \$3,000,000

PROJECT NO.: CS421885-01
PROJ. TYPE: STPMOD
SSREH
PROJECT RATING: 16
PROJECT RANKING: 196

MONROE TOWNSHIP
17956 ROUTE 68
SLIGO, PA 16205

COUNTY: Clarion
REGION: NW
NPDES:
I: \$0
II: \$1,601,375
III: \$0
III: \$0

IVA: \$974,250
IVB: \$0
V: \$0
ELIB: \$2,575,625

PROJECT NO.: CS422406-01
PROJ. TYPE: STP SS
PROJECT RATING: 16
PROJECT RANKING: 197

East Rockhill Township
1622 Ridge Road
Perkasie, PA 18944

COUNTY: Bucks
REGION: SE
NPDES: N/A
I: \$0
II: \$875,000
III: \$0
III: \$0

IVA: \$0
IVB: \$600,000
V: \$0
ELIB: \$1,475,000

PROJECT NO.: CS422076-01
PROJ. TYPE: STP SS INT
PROJECT RATING: 16
PROJECT RANKING: 198

Shenango Township Municipal Authority
P. O. Box 266
West Middlesex, PA 16159

COUNTY: Mercer
REGION: NW
NPDES:
I: \$585,000
II: \$0
III: \$0
III: \$0

IVA: \$0
IVB: \$0
V: \$0
ELIB: \$585,000

PROJECT NO.: CS422283-01
PROJ. TYPE: STPMOD
PROJECT RATING: 16
PROJECT RANKING: 199

APPLICANT INFORMATION

NEEDS CATEGORIES

PROJECT INFORMATION

| | | | | |
|---|--|---|---|---|
| Washington Township Water & Sewer 11800 Edinboro Road Edinboro, PA 16412 | COUNTY: Erie REGION: NW NPDES: N/A | I: \$830,000 II: \$0 III: \$0 III A: \$864,000 | IVA: \$0 IVB: \$0 V: \$0 ELIB: \$1,694,000 | PROJECT NO.: CS422042-01 PROJ. TYPE: STPMOD SSREH PROJECT RATING: 16 PROJECT RANKING: 200 |
| Mid-Cameron Authority 421 North Broad Street Emporium, PA 15834 | COUNTY: Cameron REGION: NC NPDES: | I: \$5,372,030 II: \$0 III: \$0 III A: \$0 | IVA: \$0 IVB: \$145,500 V: \$0 ELIB: \$5,517,530 | PROJECT NO.: CS422285-01 PROJ. TYPE: STPMOD INT PROJECT RATING: 16 PROJECT RANKING: 201 |
| Letterkenny Township 4924 Orrstown Road Orrstown, PA 17244 | COUNTY: Franklin REGION: SC NPDES: | I: \$600,000 II: \$0 III: \$0 III A: \$0 | IVA: \$1,202,000 IVB: \$0 V: \$0 ELIB: \$1,802,000 | PROJECT NO.: CS422306-01 PROJ. TYPE: STP PS SS PROJECT RATING: 16 PROJECT RANKING: 202 |
| Letterkenny Township 4924 Orrstown Road Orrstown, PA 17244 | COUNTY: Franklin REGION: SC NPDES: | I: \$621,827 II: \$0 III: \$0 III A: \$0 | IVA: \$942,692 IVB: \$0 V: \$0 ELIB: \$1,564,519 | PROJECT NO.: CS422307-01 PROJ. TYPE: STP PS SS PROJECT RATING: 16 PROJECT RANKING: 203 |
| Palmyra Township HCR 1, Box 15-C Paupack, PA 18451 | COUNTY: Pike REGION: NE NPDES: | I: \$4,200,000 II: \$0 III: \$0 III A: \$0 | IVA: \$3,270,450 IVB: \$0 V: \$0 ELIB: \$7,470,450 | PROJECT NO.: CS422269-01 PROJ. TYPE: STP PS SS PROJECT RATING: 16 PROJECT RANKING: 204 |
| Harveys Lake Borough Sewer Authority P. O. Box 53 Harveys Lake, PA 18618 | COUNTY: Luzerne REGION: NE NPDES: N/A | I: \$0 II: \$0 III: \$0 III A: \$3,000,000 | IVA: \$0 IVB: \$0 V: \$0 ELIB: \$3,000,000 | PROJECT NO.: CS421730-01 PROJ. TYPE: SSREH PROJECT RATING: 16 PROJECT RANKING: 205 |
| Tuscarora Township R. R. 1, Box 56 Honey Grove, PA 17035 | COUNTY: Juniata REGION: SC NPDES: | I: \$253,060 II: \$0 III: \$0 III A: \$0 | IVA: \$959,446 IVB: \$0 V: \$0 ELIB: \$1,212,506 | PROJECT NO.: CS422305-01 PROJ. TYPE: STP PS SS PROJECT RATING: 16 PROJECT RANKING: 206 |
| Allen Township R. R. 1, Box 1596A Saylorsburg, PA 18353 | COUNTY: Northampton REGION: NE NPDES: | I: \$0 II: \$0 III: \$0 III A: \$0 | IVA: \$958,000 IVB: \$1,485,688 V: \$0 ELIB: \$2,443,688 | PROJECT NO.: CS422263-01 PROJ. TYPE: INT SS PROJECT RATING: 16 PROJECT RANKING: 207 |
| Kilbuck Township 343 Eicher Road Pittsburgh, PA 15237 | COUNTY: Allegheny REGION: SW NPDES: N/A | I: \$0 II: \$0 III: \$0 III A: \$0 | IVA: \$1,930,000 IVB: \$0 V: \$0 ELIB: \$1,930,000 | PROJECT NO.: CS422116-01 PROJ. TYPE: SS PROJECT RATING: 16 PROJECT RANKING: 208 |
| Mount Carmel Municipal Authority Avenue and Oak Street Mount Carmel, PA 17851 | COUNTY: Northumberland REGION: NC NPDES: | I: \$9,109,400 II: \$0 III: \$0 III A: \$0 | IVA: \$0 IVB: \$0 V: \$0 ELIB: \$9,109,400 | PROJECT NO.: CS422291-01 PROJ. TYPE: STPMOD PROJECT RATING: 15 PROJECT RANKING: 209 |

APPLICANT INFORMATION

NEEDS CATEGORIES

PROJECT INFORMATION

| APPLICANT INFORMATION | COUNTY: | REGION: | NPDES: | NEEDS CATEGORIES | PROJECT INFORMATION |
|---|-----------------------------|---------|-----------|---|--|
| Upper Saucon Township 5500 Camp Meeting Road Center Valley, PA 18039 | Lehigh | NE | | I: \$0 II: \$0 III: \$0 IV: \$0 | PROJECT NO.: CS422270-01 PROJ. TYPE: PS INT SS PROJECT RATING: 15 PROJECT RANKING: 210 |
| Frackville Area Municipal Authority P. O. Box 471 Frackville, PA 17931 | Schuylkill | NE | | I: \$1,700,000 II: \$0 III: \$0 IV: \$0 V: \$0 ELIB: \$4,651,000 | PROJECT NO.: CS422265-01 PROJ. TYPE: STPMOD SSREH PROJECT RATING: 15 PROJECT RANKING: 211 |
| Wyoming Valley San Auth 1000 Wilkes-Barre Street Wilkes-Barre, PA 18711 | Luzerne | NE | PA0026107 | I: \$730,000 II: \$0 III: \$0 IV: \$0 V: \$0 ELIB: \$730,000 | PROJECT NO.: CS422433-01 PROJ. TYPE: Incinerator Ht Exch PROJECT RATING: 14 PROJECT RANKING: 212 |
| Ralpho Township MA 32-A S. Market Street Elysburg, PA 17824 | Columbia/ Northumberland | NC | PA0028738 | I: \$0 II: \$0 III: \$0 IV: \$0 V: \$0 ELIB: \$1,530,000 | PROJECT NO.: CS422376-01 PROJ. TYPE: SS PS FM PROJECT RATING: 13 PROJECT RANKING: 213 |
| Lynn Township Sewer Authority P. O. Box 208 New Tripoli, PA 18066 | Lehigh | NE | | I: \$600,000 II: \$200,000 III: \$0 IV: \$0 V: \$0 ELIB: \$800,000 | PROJECT NO.: CS422266-01 PROJ. TYPE: STPMOD PROJECT RATING: 13 PROJECT RANKING: 214 |
| Union Chapman Regional Authority R. R. 1, Box 598 Port Trevorton, PA 17864 | Snyder | NC | N/A | I: \$771,000 II: \$0 III: \$0 IV: \$0 V: \$0 ELIB: \$2,548,000 | PROJECT NO.: CS421977-01 PROJ. TYPE: STP PS INT SS PROJECT RATING: 13 PROJECT RANKING: 215 |
| Mt. Jewett Regional Sewer Authority 1 Center Street, P. O. Box 680 Mt. Jewett, PA 16740 | McKean | NW | | I: \$0 II: \$0 III: \$0 IV: \$200,508 | PROJECT NO.: CS422334-01 PROJ. TYPE: SSREH PROJECT RATING: 13 PROJECT RANKING: 216 |
| Columbia Borough Municipal Authority 308 Locust Street Columbia, PA 17512 | Lancaster | SC | N/A | I: \$1,744,600 II: \$0 III: \$0 IV: \$0 V: \$0 ELIB: \$1,744,600 | PROJECT NO.: CS422190-01 PROJ. TYPE: STPMOD PROJECT RATING: 13 PROJECT RANKING: 217 |
| Weatherly Borough 10 Wilbur Street Weatherly, PA 18255 | Carbon | NE | | I: \$0 II: \$0 III: \$0 IV: \$4,437,239 | PROJECT NO.: CS422271-01 PROJ. TYPE: SSREH PROJECT RATING: 13 PROJECT RANKING: 218 |
| COCHRANTON BOROUGH 109 E. ADAMS ST., P. O. BOX 66 COCHRANTON, PA 16314 | Crawford | NW | | I: \$0 II: \$975,000 III: \$0 IV: \$0 | PROJECT NO.: CS422400-01 PROJ. TYPE: STP SS PROJECT RATING: 13 PROJECT RANKING: 219 |

APPLICANT INFORMATION

NEEDS CATEGORIES

PROJECT INFORMATION

| APPLICANT INFORMATION | COUNTY: | REGION: | NPDES: | NEEDS CATEGORIES | ELIB. | PROJECT INFORMATION |
|--|------------|---------|-----------|--|--|--|
| Summit Hill Borough 114 W. Ludlow Street Summit Hill, PA 18250 | Carbon | NE | N/A | I: \$0 II: \$0 III: \$500,000 IV: \$0 | IVA: \$0 IVB: \$0 V: \$0 \$500,000 | PROJECT NO.: CS421907-01 PROJ. TYPE: SSREH PROJECT RATING: 12 PROJECT RANKING: 220 |
| Hummels Wharf MA P. O. Box 165 Hummels Warf, PA 17831 | Snyder | NC | PA0110582 | I: \$0 II: \$0 III: \$0 \$1,721,729 | IVA: \$0 IVB: \$0 V: \$0 \$1,721,729 | PROJECT NO.: CS422391-01 PROJ. TYPE: SSREH PROJECT RATING: 10 PROJECT RANKING: 221 |
| Reading Township Municipal Authority 5500 Carlisle Pike New Oxford, PA 17350 | Adams | SC | N/A | I: \$1,750,000 II: \$0 III: \$0 \$0 | IVA: \$0 IVB: \$0 V: \$0 \$1,750,000 | PROJECT NO.: CS422053-01 PROJ. TYPE: STPMOD PROJECT RATING: 10 PROJECT RANKING: 222 |
| East Cocalico Township 100 Hill Road Denver, PA 17517 | Lancaster | SC | N/A | I: \$0 II: \$0 III: \$0 \$0 | IVA: \$0 IVB: \$3,416,230 V: \$0 \$3,416,230 | PROJECT NO.: CS422074-01 PROJ. TYPE: INT PROJECT RATING: 10 PROJECT RANKING: 223 |
| Harmony Township 2501 Woodland Road Ambridge, PA 15003 | Beaver | SW | N/A | I: \$0 II: \$0 III: \$0 \$0 | IVA: \$1,800,000 IVB: \$0 V: \$0 \$1,800,000 | PROJECT NO.: CS421861-01 PROJ. TYPE: SS PROJECT RATING: 10 PROJECT RANKING: 224 |
| Athens Township Authority 379 Pennsylvania Avenue Sayre, PA 18840 | Bradford | NC | N/A | I: \$141,415 II: \$28,965 III: \$0 \$0 | IVA: \$313,460 IVB: \$0 V: \$0 \$483,840 | PROJECT NO.: CS422148-01 PROJ. TYPE: STP SS PROJECT RATING: 10 PROJECT RANKING: 225 |
| Coaldale Borough P. O. Box 116 Coaldale, PA 18218 | Schuylkill | NE | N/A | I: \$0 II: \$0 III: \$1,000,000 \$0 | IVA: \$0 IVB: \$0 V: \$0 \$1,000,000 | PROJECT NO.: CS422082-01 PROJ. TYPE: SSREH PROJECT RATING: 10 PROJECT RANKING: 226 |
| Beech Creek Borough P. O. Box 216 Beech Creek, PA 16822 | Clinton | NC | PA0024538 | I: \$1,004,000 II: \$0 III: \$0 \$0 | IVA: \$665,100 IVB: \$210,000 V: \$0 \$1,879,100 | PROJECT NO.: CS421937-01 PROJ. TYPE: STPMOD SS INT PROJECT RATING: 10 PROJECT RANKING: 227 |
| TREMONT MA 423 WEST MAIN STREET TREMONT, PA 17981 | Schuylkill | NE | | I: \$2,282,445 II: \$0 III: \$766,986 \$123,420 | IVA: \$0 IVB: \$0 V: \$0 \$3,172,851 | PROJECT NO.: CS422421-01 PROJ. TYPE: STPMOD SSREH PROJECT RATING: 10 PROJECT RANKING: 228 |
| Mansfield Borough Municipal Authority 19 E. Wellsboro Street Mansfield, PA 16933 | Tioga | NC | PA0021814 | I: \$5,265,488 II: \$0 III: \$573,205 \$0 | IVA: \$5,925,475 IVB: \$410,575 V: \$0 \$12,174,743 | PROJECT NO.: CS421808-01 PROJ. TYPE: STPMOD INT SS PROJECT RATING: 9 PROJECT RANKING: 229 |

APPLICANT INFORMATION

NEEDS CATEGORIES

PROJECT INFORMATION

Lansford Borough
P. O. Box 126
Lansford, PA 18232

COUNTY: Carbon I: \$0
REGION: NE II: \$0
NPDES: N/A IIIA: \$0
\$4,300,000

IVA: \$0 PROJECT NO.: CS421893-01
IVB: \$0 PROJ. TYPE: SS SSREH
V: \$0 PROJECT RATING: 8
ELIB. \$4,300,000 PROJECT RANKING: 230

Minersville Sewer Authority
Two E. Sunbury Street
Minersville, PA 17954

COUNTY: Schuylkill I: \$990,000
REGION: NE II: \$0
NPDES: N/A IIIA: \$0
\$0

IVA: \$0 PROJECT NO.: CS422016-01
IVB: \$0 PROJ. TYPE: STPMOD
V: \$0 PROJECT RATING: 8
ELIB. \$990,000 PROJECT RANKING: 231

Ashland Borough
501 Chestnut Street
Ashland, PA 17921

COUNTY: Schuylkill I: \$0
REGION: NE II: \$0
NPDES: IIIA: \$0
\$0

IVA: \$675,000 PROJECT NO.: CS422264-01
IVB: \$0 PROJ. TYPE: PS SS
V: \$0 PROJECT RATING: 7
ELIB. \$675,000 PROJECT RANKING: 232

Athens Township Authority
379 Pennsylvania Avenue
Sayre, PA 18840

COUNTY: Bradford I: \$0
REGION: NC II: \$0
NPDES: IIIA: \$0
\$0

IVA: \$1,517,549 PROJECT NO.: CS422286-01
IVB: \$0 PROJ. TYPE: SS
V: \$0 PROJECT RATING: 4
ELIB. \$1,517,549 PROJECT RANKING: 233

[Pa.B. Doc. No. 05-75. Filed for public inspection January 7, 2005, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Water Service

A-210153F2000. Beverly Hills Water Company, Inc.
Application of Beverly Hills Water Company, Inc. for approval of the abandonment or discontinuance of water service to 43 homes in the Beverly Hills subdivision of Lower Milford Township, Lehigh County, PA.

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, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before January 24, 2005. 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, and at the applicant's business address.

Applicant: Beverly Hills Water Company, Inc.

Through: Phyllis Reiss, P. O. Box 149, Limeport, PA 18060.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 05-76. Filed for public inspection January 7, 2005, 9:00 a.m.]

Water Service

A-210013F0016. United Water Pennsylvania, Inc.
Application of United Water Pennsylvania, Inc. for approval of the right to begin to offer, render, furnish or supply domestic water service to the public in an additional territory in a portion of Monroe Township, Cumberland County, PA.

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, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before January 24, 2005. 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, and at the applicant's business address.

Applicant: United Water Pennsylvania, Inc.

Through and By Counsel: John J. Gallagher, Esquire, Edward G. Lanza, Esquire, Saul Ewing, LLP, Penn National Insurance Plaza, Two North 2nd Street, 7th Floor, Harrisburg, PA 17101.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 05-77. Filed for public inspection January 7, 2005, 9:00 a.m.]

PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

Hearing Scheduled

A hearing has been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of claimant's requests concerning the indicated account.

The hearing will be held before a hearing examiner at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

March 9, 2005 Paul Robert Barbadoro 1 p.m.
(Class T-D)

Individuals 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 Marilyn Fuller-Smith, Assistant to the Executive Director, at (717) 720-4921 to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501-508 and 701-704 (relating to the Administrative Agency Law). Under 22 Pa. Code § 201.1 (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.

JEFFREY B. CLAY,
Executive Director

[Pa.B. Doc. No. 05-78. Filed for public inspection January 7, 2005, 9:00 a.m.]

STATE BOARD OF VEHICLE MANUFACTURERS, DEALERS AND SALESPERSONS

Bureau of Professional and Occupational Affairs v. Maureen Campellone; Doc. No. 1213-60-2003

On November 9, 2004, the State Board of Vehicle Manufacturers, Dealers and Salespersons (Board) levied a civil penalty of \$1,000 on Maureen Campellone.

Individuals may obtain a copy of the adjudication by writing to Thomas A. Blackburn, Board Counsel, State Board of Vehicle Manufacturers, Dealers and Salespersons, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represents the final Board decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must

NOTICES

serve the Board with a copy of the petition for review. The Board contact for receiving service of the appeals is the previously named Board Counsel.

EDWARD K. GALBREATH, Jr.,
Chairperson

[Pa.B. Doc. No. 05-79. Filed for public inspection January 7, 2005, 9:00 a.m.]

STATE CONTRACTS INFORMATION

DEPARTMENT OF GENERAL SERVICES

Act 266 of 1982 provides for the payment of interest penalties on certain invoices of "qualified small business concerns". The penalties apply to invoices for goods or services when payments are not made by the required payment date or within a 15 day grace period thereafter.

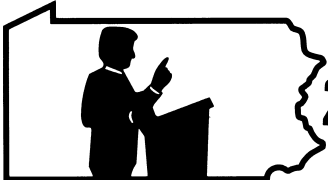
Act 1984-196 redefined a "qualified small business concern" as any independently owned and operated, for-profit business concern employing 100 or fewer employees. See 4 Pa. Code § 2.32. The business must include the following statement on every invoice submitted to the Commonwealth: "(name of business) is a qualified small business concern as defined in 4 Pa. Code 2.32."

A business is eligible for payments when the required payment is the latest of:
 The payment date specified in the contract.
 30 days after the later of the receipt of a proper invoice or receipt of goods or services.
 The net payment date stated on the business' invoice.

A 15-day grace period after the required payment date is provided to the Commonwealth by the Act.

For more information: contact: Small Business Resource Center
 PA Department of Community and Economic Development
 374 Forum Building
 Harrisburg, PA 17120
 800-280-3801 or (717) 783-5700

Reader's Guide



Legal Services & Consultation

① Service Code Identification Number

② Commodity/Supply or Contract Identification No.

B-54137. Consultant to provide three 2-day training sessions, covering the principles, concepts, and techniques of performance appraisal and standard setting with emphasis on performance and accountability, with a knowledge of State Government constraints.

Department: General Services
 Location: Harrisburg, Pa.
 Duration: 12/1/93-12/30/93
 Contact: Procurement Division 787-0000

③ Contract Information

④ Department

⑤ Location

⑥ Duration

⑦ (For Commodities: Contact: Vendor Services Section 717-787-2199 or 717-787-4705)

REQUIRED DATA DESCRIPTIONS

- ① Service Code Identification Number: There are currently 39 state service and contractual codes. See description of legend.
- ② Commodity/Supply or Contract Identification No.: When given, number should be referenced when inquiring of contract of Purchase Requisition. If more than one number is given, each number represents an additional contract.
- ③ Contract Information: Additional information for bid preparation may be obtained through the departmental contracting official.
- ④ Department: State Department or Agency initiating request for advertisement.
- ⑤ Location: Area where contract performance will be executed.
- ⑥ Duration: Time estimate for performance and/or execution of contract.
- ⑦ Contact: (For services) State Department or Agency where vendor inquiries are to be made.

(For commodities) Vendor Services Section (717) 787-2199 or (717) 787-4705

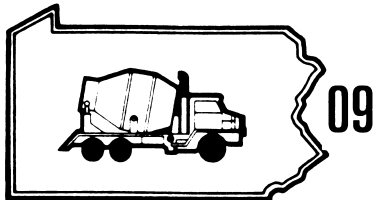
PA TREASURY BUSINESS OUTLET—PLUG INTO IT!

The Treasury Department's Bureau of Contracts and Public Records can help you do business with state government agencies. Our efforts focus on guiding the business community through the maze of state government offices. The bureau is, by law, the central repository for all state contracts over \$5,000. Services are free except for the cost of photocopying contracts (15 cents per page); postage; redaction, and certified copies. The bureau may assess reasonable fees for labor and other expenses necessary to comply with the request. A free brochure explains how to take advantage of available services.

Contact: **Bureau of Contracts and Public Records**
 Pennsylvania State Treasury
 Room 201 Finance Building
 Harrisburg, PA 17120
 717-787-4586
 1-800-252-4700
 BizOutlet@patreasury.org

BARBARA HAFER,
State Treasurer

SERVICES



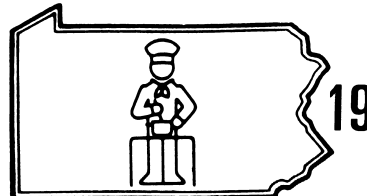
Construction & Construction Maintenance

SSHE 401-BL-769 Work under this project consists of removal of existing riding surface on .7 mile of roadway, reconstruct specified deteriorated areas of roadway and resurface with 1.5 inches of ID-2 wearing surface. To obtain a copy of the bid documents, submit a \$25.00 non-refundable deposit to Bloomsburg University, 400 East Second Street, Bloomsburg, PA 17815, ATTN: Diann Shamburg, phone #570-389-4312, fax #570-389-2017. The pre-bid conference will be held on January 13, 2005 at 10:00 am and bids due February 2, 2005.

Department: State System of Higher Education
Location: Bloomsburg University, 400 East Second Street, Bloomsburg, PA 17815
Duration: Completion Date August 4, 2005
Contact: Diann Shamburg, (570) 389-4312

SU-2004/4 Wright Hall Restroom Renovation Invitation To Bid - Shippensburg University SU-2004/4: Wright Hall Restroom Renovations. Shippensburg University of the PA State System of Higher Education invites General Contractors to request bid documents for this project. Work includes all work necessary to renovate bathrooms to include painting, toilet upgrades, ceiling replacement, exhaust fans, plumbing and light fixtures replacement. Prospective Bidders may obtain project plans for a non refundable fee of \$50.00, check made payable to Borton-Lawson Architecture, 613 Baltimore Drive, Suite 300, Wilkes-Barre, PA 18702-7903, ATTN: Patrick J. Endler at Tel: 570-821-1994, X277. Pre-Bid meeting with site visit immediately to follow will be held on January 25, 2005 at 10:00 AM in the Reed Operations Center Conference Room at Shippensburg University. Bids Due: February 15, 2005 at 4:00 PM, Old Main Room 300. Public Bid Opening: February 16, 2005 at 2:00 PM, Old Main Room 203A. Contracts, MBE/WBE apply. Non-Discrimination and Equal Opportunity are the policies of the Commonwealth and of the PA State System of Higher Education.

Department: State System of Higher Education
Location: Shippensburg, PA
Duration: 45 days
Contact: Deborah K. Martin, (717) 477-1121



Food

108 Chicken/Poultry/Turkey: Chicken 46,000 lbs., ready to cook, Grade A, Type II, Fresh Frozen, Class I Broilers or Fryers, Style II, quartered, no livers, gizzards or necks. Weight range: 3 lb. per chicken. PA spec C-94, effective 04/11/73. USDA Certificate Required. Poultry Meat 22,000 lbs.; Turkey Breast, 12,000 lbs.; Chicken patties, 12,000 lbs., breaded and unbreaded; Turkey sausage 4,000 lbs.; Turkey Kielbasa, 4,000 lbs.; Chicken Franks, 9,000 lbs.; Ground Turkey, 12,000 lbs.; Poultry Salami and Pastrami, 9,000 lbs.; Turkey Ham, 9,000 lbs. and all related items. All items will be bid on a bi-monthly basis; all amounts are approximate for the period of January 01 to December 31, 2005.

Department: Corrections
Location: State Correctional Institution at Fayette, 50 Overlook Drive, LaBelle, PA 15450
Duration: January 01 to December 31, 2005
Contact: Nancy Keller, (724) 364-2200

[Pa.B. Doc. No. 05-80. Filed for public inspection January 7, 2005, 9:00 a.m.]

DESCRIPTION OF LEGEND

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| <p>1 Advertising, Public Relations, Promotional Materials</p> <p>2 Agricultural Services, Livestock, Equipment, Supplies & Repairs: Farming Equipment Rental & Repair, Crop Harvesting & Dusting, Animal Feed, etc.</p> <p>3 Auctioneer Services</p> <p>4 Audio/Video, Telecommunications Services, Equipment Rental & Repair</p> <p>5 Barber/Cosmetology Services & Equipment</p> <p>6 Cartography Services</p> <p>7 Child Care</p> <p>8 Computer Related Services & Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p>9 Construction & Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p>10 Court Reporting & Stenography Services</p> <p>11 Demolition—Structural Only</p> <p>12 Drafting & Design Services</p> <p>13 Elevator Maintenance</p> <p>14 Engineering Services & Consultation: Geologic, Civil, Mechanical, Electrical, Solar & Surveying</p> <p>15 Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core & Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p>16 Extermination Services</p> <p>17 Financial & Insurance Consulting & Services</p> <p>18 Firefighting Services</p> <p>19 Food</p> <p>20 Fuel Related Services, Equipment & Maintenance to Include Weighing Station Equipment, Underground & Above Storage Tanks</p> <p>21 Hazardous Material Services: Abatement, Disposal, Removal, Transportation & Consultation</p> | <p>22 Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental & Repair</p> <p>23 Janitorial Services & Supply Rental: Interior</p> <p>24 Laboratory Services, Maintenance & Consulting</p> <p>25 Laundry/Dry Cleaning & Linen/Uniform Rental</p> <p>26 Legal Services & Consultation</p> <p>27 Lodging/Meeting Facilities</p> <p>28 Mailing Services</p> <p>29 Medical Services, Equipment Rental and Repairs & Consultation</p> <p>30 Moving Services</p> <p>31 Personnel, Temporary</p> <p>32 Photography Services (includes aerial)</p> <p>33 Property Maintenance & Renovation—Interior & Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning & Planting, etc.)</p> <p>34 Railroad/Airline Related Services, Equipment & Repair</p> <p>35 Real Estate Services—Appraisals & Rentals</p> <p>36 Sanitation—Non-Hazardous Removal, Disposal & Transportation (Includes Chemical Toilets)</p> <p>37 Security Services & Equipment—Armed Guards, Investigative Services & Security Systems</p> <p>38 Vehicle, Heavy Equipment & Powered Machinery Services, Maintenance, Rental, Repair & Renovation (Includes ADA Improvements)</p> <p>39 Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
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DONALD T. CUNNINGHAM, Jr.
Secretary

