

PENNSYLVANIA BULLETIN

Volume 47

Number 14

Saturday, April 8, 2017 • Harrisburg, PA

Pages 1991—2172

Agencies in this issue

The Governor

The General Assembly

The Courts

Department of Aging

Department of Banking and Securities

Department of Environmental Protection

Department of General Services

Department of Health

Department of Human Services

Department of Transportation

Executive Board

Independent Regulatory Review Commission

Insurance Department

Patient Safety Authority

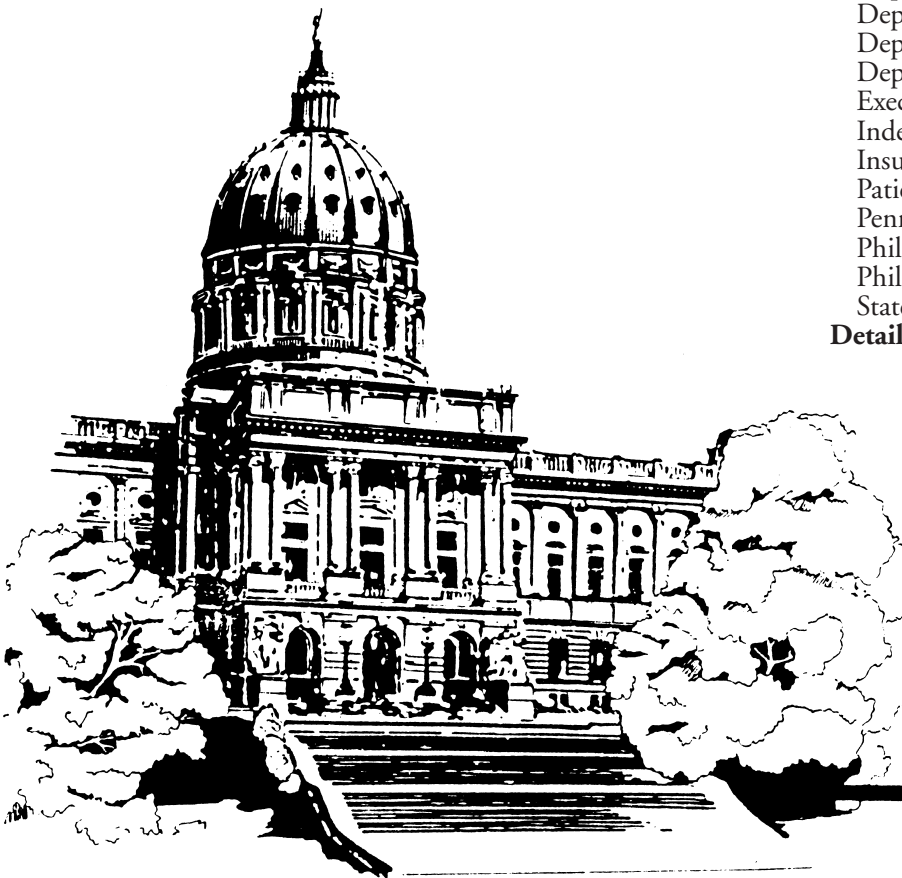
Pennsylvania Public Utility Commission

Philadelphia Parking Authority

Philadelphia Regional Port Authority

State Board of Nursing

Detailed list of contents appears inside.



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

No. 509, April 2017

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PENNSYLVANIA



BULLETIN

(ISSN 0162-2137)

The *Pennsylvania Bulletin* is published weekly by Fry Communications, Inc. for the Commonwealth of Pennsylvania, Legislative Reference Bureau, 641 Main Capitol Building, Harrisburg, Pennsylvania 17120, under the policy supervision and direction of the Joint Committee on Documents under 4 Pa.C.S. Part II (relating to publication and effectiveness of Commonwealth documents). The subscription rate is \$82.00 per year, postpaid to points in the United States. Individual copies are \$2.50. Checks for subscriptions and individual copies should be made payable to "*Fry Communications, Inc.*" Periodicals postage paid at Harrisburg, Pennsylvania.

Postmaster send address changes to:

FRY COMMUNICATIONS, Inc.
Attn: *Pennsylvania Bulletin*
800 West Church Road
Mechanicsburg, Pennsylvania 17055-3198
(717) 766-0211 ext. 2340
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(800) 524-3232 ext. 2340 (toll free, in State)

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CONTENTS

THE GOVERNOR

Proclamations

Proclamation terminating the disaster emergency .. 1998

THE GENERAL ASSEMBLY

COMMISSION ON SENTENCING

Proposed 7th edition sentencing guidelines, amendment 4; proposed sentence risk assessment instrument 1999

THE COURTS

APPELLATE PROCEDURE

Amendment to Commonwealth Court internal operating procedure..... 2101

LOCAL COURT RULES

Clarion County

Adoption of local rules regarding court reporting and transcripts; No. 282 CD 2017..... 2101

Cumberland County

Rules of the court of common pleas; local rule 230—disposition of land use appeals in the court of common pleas 2102

Rules of the court of common pleas; local rule 1920.55-1 2103

EXECUTIVE AND INDEPENDENT AGENCIES

DEPARTMENT OF AGING

Notices

Pennsylvania Long-Term Care Council meetings 2107

DEPARTMENT OF BANKING AND SECURITIES

Notices

Actions on applications..... 2107

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices

Applications, actions and special notices..... 2109

Opening of the grant application acceptance period for the Pennsylvania State Clean Diesel Grant Program 2154

Planning grant awards under section 901 of the Municipal Waste Planning, Recycling and Waste Reduction Act, Act 101 of 1988..... 2154

Rescission of technical guidance 2155

Small Business Compliance Advisory Committee meeting cancellation 2155

DEPARTMENT OF GENERAL SERVICES

Notices

Real estate for sale 2155

DEPARTMENT OF HEALTH

Notices

Ambulatory surgical facilities; requests for exceptions 2156

Final guidance for acute health care facility determinations of reporting requirements for pressure injuries under the Medical Care Availability and Reduction of Error (MCARE) Act 2163

Hospitals; requests for exceptions 2156

Long-term care nursing facilities; requests for exception 2157

Renal Disease Advisory Committee meeting 2157

DEPARTMENT OF HUMAN SERVICES

Notices

Federal Poverty Income Guidelines for 2017 2157

New class of disproportionate share payments (2 documents)..... 2159

DEPARTMENT OF TRANSPORTATION

Notices

Medical Advisory Board meeting 2160

EXECUTIVE BOARD

Statements of Policy

Reorganization of the Liquor Control Board 2105

INDEPENDENT REGULATORY REVIEW COMMISSION

Notices

Notice of filing of final rulemaking..... 2160

INSURANCE DEPARTMENT

Notices

American Progressive Life and Health Insurance Company of New York (SERFF # UNAM-130958072); rate increase filing for several LTC forms 2160

Blue Cross of Northeastern Pennsylvania (SERFF # MILL-130951717); rate increase filing for several LTC forms..... 2661

MedAmerica Insurance Company (SERFF # MILL-130925276); rate increase filing for several LTC forms 2161

MedAmerica Insurance Company (SERFF # TRIP-130957777); rate increase filing for several LTC forms 2161

Review of matters regarding Highmark, Inc., Highmark Health and Allegheny Health Network in connection with the Insurance Department's approving determination and order issued on April 29, 2013; notice 2017-04 2161

Review procedure hearings; cancellation or refusal of insurance 2162

Review procedure hearings under the Unfair Insurance Practices Act 2162

PATIENT SAFETY AUTHORITY

Notices

Final guidance for acute health care facility determinations of reporting requirements for pressure injuries under the Medical Care Availability and Reduction of Error (MCARE) Act 2163

Public meeting 2168

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

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Notices

General rule transaction 2168
Service of notice of motor carrier applications..... 2169
Service of notice of motor carrier formal complaints. 2169
Telecommunications..... 2170
Transfer by sale (2 documents) 2171

PHILADELPHIA PARKING AUTHORITY

Notices

Request for bids 2171
Request for information (2 documents) 2171

PHILADELPHIA REGIONAL PORT AUTHORITY

Notices

Request for proposals 2172

STATE BOARD OF NURSING

Notices

Bureau of Professional and Occupational Affairs v.
Jennifer Lynn Dimoff, RN; doc. No. 0756-51-14;
file No. 14-51-07084..... 2172
Bureau of Professional and Occupational Affairs v.
Lindsey L. Fluck, LPN; doc. No. 1464-51-15; file
No. 13-51-08245 2172

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

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

wishes to adopt changes to the Notice of Proposed Rulemaking to enlarge the scope, it must repropose.

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Documents

Search for your area of interest in the *Pennsylvania Code*. The *Pennsylvania Code* is available at www.pacode.com.

Source Notes give the history of regulations. To see if there have been recent changes, not yet codified, check the List of *Pennsylvania Code* Chapters Affected in the most recent issue of the *Pennsylvania Bulletin*.

A chronological table of the history of *Pennsylvania Code* sections may be found at www.legis.state.pa.us/cfdocs/legis/CH/Public/pcde_index.cfm.

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

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Printing Format

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

Fiscal Notes

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

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

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List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2017.

4 Pa. Code (Administration)

Statements of Policy

9 832, 1163, 1515, 1855, 2105

19 Pa. Code (Corporations and Business Associations)

Statements of Policy

71 1165

25 Pa. Code (Environmental Protection)

Adopted Rules

901 313

Proposed Rules

121 1157

126 1157

208 1636

28 Pa. Code (Health and Safety)

Adopted Rules

23 1300

1141 199

1151 199

1161 217

34 Pa. Code (Labor and Industry)

Statements of Policy

123 440

49 Pa. Code (Professional and Vocational Standards)

Proposed Rules

27 1509

52 Pa. Code (Public Utilities)

Adopted Rules

29 429

Proposed Rules

56 965

59 19

58 Pa. Code (Recreation)

Adopted Rules

65 1465, 1466

131 1467

133 1467

Proposed Rules

65 1469

131 1769

135 1475, 1477, 1479

137 1493

139 1480, 1486

141 1472, 1473, 1769

147 1490, 1492

682a 1495

683a 1495

67 Pa. Code (Transportation)

Proposed Rules

175 1748

201 Pa. Code (Rules of Judicial Administration)

Adopted Rules

1 937

204 Pa. Code (Judicial System General Provisions)

Adopted Rules

83 1276

213 291

Proposed Rules

81 1122

303 1999

305 1999

210 Pa. Code (Appellate Procedure)

Adopted Rules

25 1277

69 2101

Proposed Rules

1 7

225 Pa. Code (Rules of Evidence)

Adopted Rules

Article VI 1623

Article VIII 1623

231 Pa. Code (Rules of Civil Procedure)

Adopted Rules

200 178

400 178

1000 178, 937

1910 1123

234 Pa. Code (Rules of Criminal Procedure)

Proposed Rules

1 179, 1731

2 182

4 1850

5 182, 185, 306, 1731

10 186

237 Pa. Code (Juvenile Rules)

Adopted Rules

1 941

2 941

4 820

Proposed Rules

1 938

4 942

5 942

6 942

16 947

249 Pa. Code (Philadelphia Rules)

Unclassified 420, 1628, 1732

255 Pa. Code (Local Court Rules)

Unclassified . . . 8, 9, 12, 14, 15, 17, 18, 188, 190, 191, 192, 193, 194, 195, 308, 309, 310, 311, 420, 422, 423, 426, 428, 666, 667, 669, 825, 828, 829, 830, 949, 950, 951, 952, 958, 959, 963, 1278, 1279, 1628, 1630, 1736, 1738, 1741, 1742, 1852, 2101, 2102, 2103

THE GOVERNOR GOVERNOR'S OFFICE

Proclamation Terminating the Disaster Emergency

March 23, 2017

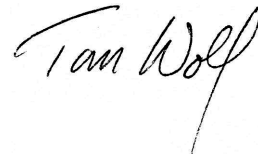
Whereas, on March 13, 2017, I proclaimed the existence of a disaster emergency in the Commonwealth due to a severe winter event that was expected to impact the Commonwealth of Pennsylvania, causing dangerous winter weather conditions including snow and ice accumulation; and

Whereas, this winter event caused severe adverse effects to multiple political subdivisions in the Commonwealth resulting in impacts that were both immediate and long term, and required a comprehensive partnership between the Commonwealth and its political subdivisions for effective recovery; and

Whereas, immediate steps were taken to stabilize the affected areas, recovery operations commenced, and ongoing monitoring of conditions made at my direction have disclosed that the adverse impacts of this event have been mitigated such that emergency conditions no longer exist.

Now Therefore, pursuant to the provisions of section 7301(c) of the Emergency Management Services Code, 35 Pa.C.S. § 7101 et seq., I do hereby proclaim the termination of the disaster emergency in the Commonwealth.

Given under my hand and the Seal of the Governor, at the City of Harrisburg, this twenty third day of March two thousand seventeen, the year of the commonwealth the two hundred forty-first.



Governor

[Pa.B. Doc. No. 17-568. Filed for public inspection April 7, 2017, 9:00 a.m.]

THE GENERAL ASSEMBLY

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

COMMISSION ON SENTENCING PART VIII. CRIMINAL SENTENCING [204 PA. CODE CHS. 303 AND 305]

Proposed 7th Edition Sentencing Guidelines, Amendment 4; Proposed Sentence Risk Assess- ment Instrument

The Pennsylvania Commission on Sentencing hereby publishes for public comment a proposed Amendment 4 to the 7th Edition Sentencing Guidelines, 204 Pa. Code §§ 303.1—303.18. The Commission also publishes for public comment a proposed Sentence Risk Assessment Instrument, 204 Pa. Code §§ 305.1—305.8, for use by the sentencing court to help determine the appropriate sentence within the limits established by law. The proposed amendment is set forth in Annex A. The proposed Sentence Risk Assessment Instrument is set forth in Annex B.

The 7th Edition Sentencing Guidelines, which the Commission adopted on September 13, 2012, apply to all offenses committed on or after their effective date of December 28, 2012. Amendment 1 of the 7th Edition Sentencing Guidelines was adopted on June 6, 2013 and became effective September 27, 2013; Amendment 2 of the 7th Edition Sentencing Guidelines was adopted on June 5, 2014 and became effective September 26, 2014; Amendment 3 of the 7th Edition Sentencing Guidelines was adopted on June 4, 2015 and became effective September 25, 2015.

On March 16, 2017, the Commission adopted for the purposes of public comment Amendment 4 to the 7th Edition Sentencing Guidelines, primarily addressing four legislative mandates to create the following sentencing enhancements:

(i) Offenses involving burglary of a home in which a person commits or attempts or threatens to commit a bodily injury crime (Act 158 of 2016, 42 Pa.C.S. § 9720.7);

(ii) Persons not to possess, use, manufacture, control, sell or transfer firearms (Act 134 of 2016, 18 Pa.C.S. § 6105(a.1)(1.1));

(iii) Homicide by vehicle with conviction relating to prohibiting text-based communications (Act 165 of 2016, 75 Pa.C.S. § 3732); and

(iv) Aggravated assault by vehicle with conviction relating to prohibiting text-based communications (Act 165 of 2016, 75 Pa.C.S. § 3732.1).

Additionally, offense gravity scores are assigned to new or modified offenses. The proposed Amendment 4 is set forth in Annex A.

Act 2010-95 mandates the Commission to “. . .adopt a Sentence Risk Assessment Instrument for the sentencing court to use to help determine the appropriate sentence within the limits established by law. . .The risk assessment instrument may be used as an aide in evaluating the relative risk that an offender will reoffend and be a

threat to public safety.” (42 Pa.C.S. § 2154.7) In addition to considering the risk of re-offense and threat to public safety, Act 2010-95 also permits the risk assessment instrument to be used to determine whether a more thorough assessment is necessary, or as an aide in determining appropriate candidates for alternative sentencing (e.g., County Intermediate Punishment, State Intermediate Punishment, State Motivational Boot Camp and Recidivism Risk Reduction Incentive).

The Commission published for public comment a preliminary Sentence Risk Assessment Instrument on April 11, 2015 and held public hearings. The Commission requested comment on the preliminary Sentence Risk Assessment Instrument, including but not limited to the following: (1) the development of the risk assessment instrument and the factors being used; (2) the presentation of the risk assessment information; (3) the use of risk assessment to address re-offense and threat to public safety; (4) the use of risk assessment to determine whether a more thorough assessment is necessary; (5) the use of risk assessment as an aide in determining appropriate candidates for alternative sentencing; and (6) any other comments related to the development and implementation of a Sentence Risk Assessment Instrument.

On March 16, 2017, the Commission adopted for the purposes of public comment the Sentence Risk Assessment Instrument. The proposed Sentence Risk Assessment Instrument is set forth in Annex B, including risk scales and recidivism rates. The risk scales and recidivism rates included with the Sentence Risk Assessment Instrument use Pennsylvania arrests obtained from the Administrative Office of Pennsylvania Courts. The Commission is re-analyzing these data to remove any arrests dismissed by a minor court. Upon completion, the Commission will publish revised risk scales and recidivism rates and hold a public hearing to receive comment before final adoption of the Sentence Risk Assessment Instrument.

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

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

The Commission will hold the following five public hearings to receive comments on the proposed Amendment 4 and the proposed Sentence Risk Assessment Instrument:

Hearing I.

Date: Wednesday, May 17, 2017
Time: 1:00 p.m.
Location: Blair County Courthouse, Courtroom 1
 423 Allegheny Street
 Hollidaysburg, PA 16648

Hearing II.

Date: Thursday, May 18, 2017
Time: 2:00 p.m.
Location: Westmoreland County Courthouse,
 Courtroom 7
 2 North Main Street
 Greensburg, PA 15601

Hearing III.

Date: Friday, May 19, 2017
Time: 9:00 a.m.
Location: Allegheny County Courthouse,
 Courtroom 327
 436 Grant Street
 Pittsburgh, PA 15219

Hearing IV.

Date: Tuesday, May 23, 2017
Time: 2:00 p.m.
Location: Juanita Kidd Stout Center for Criminal
 Justice, Courtroom 504
 1301 Filbert Street
 Philadelphia, PA 19107

Hearing V.

Date: Wednesday, May 31, 2017
Time: 3:00 p.m.
Location: Pennsylvania Judicial Center
 601 Commonwealth Avenue
 Harrisburg, PA 17106

Persons or organizations wishing to testify before the Commission are asked to bring 30 copies of any written comments to the public hearing. Arrangements to testify may be made by contacting the Commission in advance of the hearing (Cathy Dittman at 814.863.5729 or CWD2@PSU.EDU). Written comments from persons or organizations not wishing to testify at one of the five public hearings should be submitted no later than Friday, May 19, 2017 to: Mark H. Bergstrom, Executive Director, Pennsylvania Commission on Sentencing, P.O. Box 1200, State College, PA 16804-1200.

The Commission will evaluate the proposed Amendment 4 to the 7th Edition Sentencing Guidelines and the proposed Sentence Risk Assessment Instrument after consideration of the testimony and written comments received. The Commission anticipates addressing these proposals at its next quarterly meeting, which will be held on June 1, 2017, at the PA Judicial Center, 601 Commonwealth Avenue, Harrisburg, PA. All Commission meetings are open to the public. Any proposal receiving final adoption by the Commission is submitted to the General Assembly for review by way of publication in the *Pennsylvania Bulletin*. Upon final adoption, Amendment 4 and/or the Sentence Risk Assessment Instrument become effective 90 days after publication in the *Pennsylvania Bulletin* unless rejected by concurrent resolution of the General Assembly.

PRESIDENT JUDGE SHEILA A. WOODS-SKIPPER,
Chair

Commentary on Annex A

This Commentary provides selected highlights of proposed Amendment 4 to the 7th Edition Sentencing Guidelines. The proposed Amendment 4 is set forth in Annex A.

Revisions to 303.1—Sentencing guideline standards

In § 303.1(c)(1), an editorial change is made for clarification as to applicable edition of the Sentencing Guidelines if the offense occurs over a range of dates.

The applicable date for 7th Edition Amendment 3 Sentencing Guidelines is noted in § 303.1(c)(2). The 7th Edition Amendment 3 Sentencing Guidelines were effective September 25, 2015. They are applicable to all offenses committed on or after that date.

An effective date of January 1, 2018 is proposed for Amendment 4. This is intended to simplify application of the sentencing guidelines by linking effective dates to the start of the calendar year.

Revisions to 303.2—Procedure for determining the guideline sentence

Language is modified to include all enhancements rather than list them individually in § 303.2(a)(3).

Revisions to 303.3—Offense gravity score (general)

No changes.

Revisions to 303.4—Prior record score (categories)

Editorial change. In 303.4(a)(2) ‘points’ is added for clarification.

Revisions to 303.5—Prior record score (prior convictions)

No changes.

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

No changes.

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

No changes

Revisions to 303.8—Prior record score (miscellaneous)

Language is created in § 303.8(a)(2) to clarify the calculation of a prior record score when the conviction occurs over a range of dates.

Revisions to 303.9—Guideline sentence recommendations (general)

Under Deadly Weapon Enhancement sentence recommendation, 303.9(b), language is inserted to exclude consideration of deadly weapon enhancement for those sentenced pursuant to 18 Pa.C.S.A. § 1102.1 and assigned OGS 15.

Editorial changes are made. Language in § 303.9(j) is modified to refer specifically to statute rather than specifying ‘possession with intent to deliver.’

Revisions to 303.10—Guideline sentence recommendations (enhancements)

Editorial changes are made. Language in § 303.10(c)(2) is modified to refer specifically to statute rather than specifying ‘possession with intent to deliver.’

Under Sexual Abuse of Children Enhancement, 303.10(e)(2)(ii), ‘dangerous’ weapon ‘as defined in 18 Pa.C.S.A. § 913’ is inserted for clarification of weapon definition.

Revisions to 303.11—Guideline sentence recommendations (sentencing levels)

No changes.

Revisions to 303.12—Guideline sentence recommendations (sentencing programs)

No changes.

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

No changes.

Revisions to 303.14—Guideline sentence recommendations (economic sanctions)

No changes.

*Revisions to 303.15—Offense listing**New or modified offenses:**18 Pa.C.S.A.*

§ 2709. Cyber harassment of a child

§ 2718. Strangulation

§ 3502. Burglary

§ 4913. Impersonating a holder of professional or occupational license

§ 5511. Cruelty to animals

§ 6105. Firearms-Persons not to possess

75 Pa.C.S.

§ 3732. Homicide by vehicle

§ 3732.1. Aggravated assault by vehicle

*Corrections**18 Pa.C.S.A.*

§ 2702(a)(3)(4)(5). Aggravated assault. Correct to text to add 'attempt'

§ 6312(c)(d). Sexual abuse of children. Correction in grading and PRS

35 P.S.

§ 780-113(a)(12). Acquisition of controlled substance by fraud-heroin (50-<100 g). Correction in PRS.

§ 780-113(a)(30). Possession with intent to deliver-MDMA (100-1,000 g). Correction to amount symbol.

Revisions to 303.16—Basic Sentencing Matrices

Example offenses are updated in § 303.16(a).

Revisions to 303.17—Deadly Weapon Enhancement Matrices

No changes.

Revisions to 303.18—Youth, School, Youth and School Enhancement Matrices

No changes.

Annex A**TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS****PART VIII. CRIMINAL SENTENCING****CHAPTER 303. SENTENCING GUIDELINES****§ 303.1. Sentencing guidelines standards.**

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

sentencing purposes, the court shall consider the sentencing guidelines only on the offense assigned the higher offense Gravity score.

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

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

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

(2) The initial sentencing guidelines went into effect on July 22, 1982 and applied to all crimes committed on or after that date. Amendments to the guidelines went into effect in June 1983, January 1986 and June 1986. On October 7, 1987 the Pennsylvania Supreme Court invalidated the guidelines due to a procedural error that occurred in 1981 when the legislature rejected the first set of guidelines. New guidelines were drafted and became effective on April 25, 1988. Amendments to the guidelines went into effect August 9, 1991 and December 20, 1991. Revised sets of guidelines became effective August 12, 1994, June 13, 1997, June 3, 2005, December 5, 2008, and December 28, 2012. Amendments to the guidelines went into effect September 27, 2013 **[and]**, September 26, 2014, **and September 25, 2015. This amendment, Amendment 4 of the 7th Edition Sentencing Guidelines, shall take effect January 1, 2018 and apply to all crimes committed on or after that date.**

(d) In every case in which a court of record imposes a sentence for a felony or misdemeanor, the court shall make as a part of the record, and disclose in open court at the time of sentencing, a statement of the reason or reasons for the sentence imposed. In every case where a court of record imposes a sentence outside the sentencing guidelines, the reason or reasons for the deviation from the guidelines shall be recorded on the Guideline Sentence Form, a copy of which shall be electronically transmitted to the Pennsylvania Commission on Sentencing in the manner described in § 303.1(e).

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

(2) Effective for sentences imposed on or after January 1, 2016, the JNET-based Sentencing Guidelines Software Web application (SGS Web) shall be used at the court's direction to report all subsequent revocations of proba-

tion, county intermediate punishment and state intermediate punishment and related resentences to the Commission. The information shall be electronically submitted to the Commission via SGS Web no later than 30 days after the date of resentencing.

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

§ 303.2. Procedure for determining the guideline sentence.

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

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

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

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

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

§ 303.3. Offense Gravity Score—general.

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

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

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

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

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

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

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

(d) *Ethnic Intimidation.* Convictions for Ethnic Intimidation (18 Pa.C.S. § 2710) receive an Offense Gravity Score that is one point higher than the offense which was

the object of the Ethnic Intimidation. When the object offense is murder of the third degree, a conviction for Ethnic Intimidation receives the highest Offense Gravity Score applicable.

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

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

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

(1) when the offense is not otherwise listed in § 303.15, or

(2) when the grade or statutory maximum sentence of an offense listed in § 303.15 has changed, unless application of this section would result in a lower Offense Gravity Score for an increased grading or statutory maximum sentence of the offense.

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

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

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

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

§ 303.4. Prior Record Score—categories.

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

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

(2) *Repeat Felony 1 and Felony 2 Offender Category (RFEL).* Offenders who have previous convictions or

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

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

§ 303.5. Prior Record Score—prior convictions.

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

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

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

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

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

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

§ 303.6. Prior Record Score—prior juvenile adjudications.

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

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

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

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

(c) *Lapsing of juvenile adjudications*. Prior juvenile adjudications for four point offenses listed in § 303.7(a)(1) shall always be included in the Prior Record Score, provided the criteria in subsection (a) above are met:

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

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

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

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

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

§ 303.7. Prior Record Score—guideline points scoring.

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

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

Murder, and attempt, solicitation or conspiracy to commit Murder

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

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

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

Ethnic Intimidation to any Felony 1 offense

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

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

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

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

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

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

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

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

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

Any of the following Misdemeanor 1 offenses that involve weapons:

Possessing Instruments of Crime (possession of a weapon)

Prohibited Offensive Weapons

Use or Possession of Electric or Electronic Incapacitation Device

Possession of Weapon on School Property

Possession of Firearm or Other Dangerous Weapon in Court Facility

Violations of the Pennsylvania Uniform Firearms Act

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

Involuntary Manslaughter

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

Luring a Child into a Vehicle

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

Indecent Exposure (persons present are less than age 16)

Endangering Welfare of Children

Dealing in Infant Children

Recruiting Criminal Gang Members

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

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

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

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

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

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

§ 303.8. Prior Record Score—miscellaneous.

(a) *Prior convictions and adjudications of delinquency.*

(1) 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.

(2) When the prior conviction or adjudication of delinquency was committed over a range of dates, the later date shall be used to determine if the prior offense meets the criteria in 303.8(a)(1) and is counted in the prior record score.

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

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

(d) *Former Pennsylvania offenses.*

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

(2) When there is no current equivalent Pennsylvania offense, prior convictions or adjudications of delinquency are scored under § 303.7 based on the grade of the offense. When a prior conviction or adjudication of delinquency was for a felony, but the grade of the felony is unknown, it shall be treated as a Felony 3. When a prior conviction was for a misdemeanor, but the grade of the misdemeanor is unknown, it shall be treated as other misdemeanors. When it cannot be determined if the prior conviction was a felony, one point misdemeanors, or other misdemeanors, it shall be treated as other misdemeanors. When a prior conviction is for a crime which has a

summary grade, and the grade of the conviction is unknown, the prior conviction shall not be counted in the Prior Record Score.

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

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

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

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

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

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

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

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

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

§ 303.9. Guideline sentence recommendation: general.

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

(2) *Sentences for offenders under age 18 for murder, murder of unborn child, or murder of law enforcement officer.* If an offender is under age 18 years at the time of the offense and the conviction occurred after June 24, 2012, the court has no authority to impose a sentence less than that required by the mandatory minimum provision established in statute and may impose a minimum sentence up to and including life (18 Pa.C.S. § 1102.1). If the court determines the convicted offender was under age 18 at the time of the offense and the conviction occurred after June 24, 2012, the court shall instead consider the Basic Sentencing Matrix for Offenders Under Age 18 Convicted of 1st or 2nd Degree Murder (§ 303.16(b)).

(b) *Deadly Weapon Enhancement sentence recommendations.* [If] **Except for those sentenced pursuant to 18 Pa.C.S. § 1102.1 (relating to sentence of persons**

under the age of 18 for murder, murder of an unborn child and murder of a law enforcement officer), if the court determines that an offender possessed a deadly weapon pursuant to § 303.10(a)(1), the court shall instead consider the DWE/Possessed Matrix (§ 303.17(a)). [**If**] **Except for those sentenced pursuant to 18 Pa.C.S. § 1102.1 (relating to sentence of persons under the age of 18 for murder, murder of an unborn child and murder of a law enforcement officer),** if the court determines that an offender used a deadly weapon pursuant to § 303.10(a)(2), the court shall instead consider the DWE/Used Matrix (§ 303.17(b)). Both enhanced matrices specify a range of sentences (i.e.—standard range) that shall be considered by the court for each combination of Offense Gravity Score (OGS) and Prior Record Score (PRS).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

§ 303.10. Guideline sentence recommendations: enhancements.

(a) *Deadly Weapon Enhancement.*

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

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

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

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

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

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

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

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

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

- (i) Possessing Instruments of Crime
- (ii) Prohibited Offensive Weapons
- (iii) Possession of Weapon on School Property
- (iv) Possession of Firearm or Other Dangerous Weapon in Court Facility
- (v) Simple Assault (18 Pa.C.S. § 2701(a)(2))
- (vi) Aggravated Assault (18 Pa.C.S. § 2702(a)(4))
- (vii) Theft when property stolen is a firearm (18 Pa.C.S. Chapter 39)
- (viii) Violations of the Pennsylvania Uniform Firearms Act
- (ix) Any other offense for which possession of a deadly weapon is an element of the statutory definition
- (x) If the Arson Enhancement under § 303.10(f)(1)(iii) is applied.

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

(b) *Youth/School Enhancement.*

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

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

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

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

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

(c) *Criminal Gang Enhancement.*

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

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

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

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

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

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

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

(e) *Sexual Abuse of Children Enhancement.*

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

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

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

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

(i) the bondage of a child;

(ii) a **dangerous** weapon as defined in 18 Pa.C.S. § 913 used in a sexual context;

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

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

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

(f) *Arson Enhancement.*

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

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

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

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

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

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

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

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

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

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

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

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

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

§ 303.11. Guideline sentence recommendation: sentencing levels.

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

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

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

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

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

Total confinement in a county facility

Partial confinement in a county facility

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

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

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

Total confinement in a state facility

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

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

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

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

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

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

Total confinement in a state facility

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

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

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

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

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

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

Total confinement in a state facility

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

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

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

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

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

§ 303.12. Guideline sentence recommendations: sentencing programs.

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

(1) *Eligibility.*

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

37 Pa. Code § 451.1 et seq.

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

204 Pa. Code § 303.8 and § 303.9

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

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

(3) *County intermediate punishments classifications.* In order to incorporate county intermediate punishment programs into the sentencing levels, the Commission has classified county intermediate punishment programs as Restrictive Intermediate Punishments (RIP) and restorative sanction programs. Additionally, specific county intermediate punishment programs have been identified in legislation (42 Pa.C.S. §§ 9763(c) and 9804(b)) and regulation (37 Pa. Code § 451.52) as authorized sentences

for convictions relating to Operating a Watercraft Under the Influence of Alcohol or a Controlled Substance, Driving While Operating Privilege is Suspended or Revoked, Driving Under the Influence of Alcohol or Controlled Substance and Illegally Operating a Motor Vehicle Not Equipped with Ignition Interlock; the Commission has classified these programs as Qualified Restrictive Intermediate Punishments.

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

(i) Restrictive Intermediate Punishments (RIP) either:

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

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

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

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

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

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

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

(5) *Restorative sanction programs*. Restorative sanction programs are the least restrictive, non-confinement intermediate punishments. Restorative sanction programs are generally used in conjunction with Restrictive Intermediate Punishments as the level of supervision is reduced, but may also be used as separate sanctions under any of the non-confinement sentencing alternatives provided in the statute (see § 303.9(f)).

(i) Restorative sanction programs:

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

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

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

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

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

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

1. a residential inpatient program or residential rehabilitative center;

2. house arrest with electronic surveillance;

3. a partial confinement program such as work release, a work camp or a halfway facility; or

4. any combination of Qualified Restrictive Intermediate Punishment programs.

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

1. house arrest with electronic surveillance; or

2. partial confinement programs such as work release, a work camp or a halfway facility; or

3. any combination of Qualified Restrictive Intermediate Punishment programs.

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

(1) *Eligibility*.

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

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

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

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

(1) *Eligibility*.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

§ 303.14. Guideline sentence recommendations—economic sanctions.

(a) *Fines.*

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

(i) 18 Pa.C.S. § 1101 (relating to fines)

(ii) 35 P.S. § 780-113(b)—(o) (relating to controlled substances)

(iii) 42 Pa.C.S. § 9726 (relating to fine as a sentence)

(iv) 42 Pa.C.S. § 9758 (relating to imposition of a fine)

(v) 75 Pa.C.S. § 3804 (relating to fines for DUI)

(2) A fine, within the limits established by law, shall be considered by the court when the offender is convicted of 35 P.S. § 780-113(a)(12), (14) or (30), and the drug involved is any of the following: a controlled substance or counterfeit substance classified in Schedule I or II and which is a narcotic; phencyclidine, methamphetamine, or cocaine, including the isomers, salts, compounds, salts of isomers, or derivatives of phencyclidine, methamphetamine, or cocaine; or is in excess of one thousand pounds of marijuana. Such fine shall be of an amount that is at least sufficient to exhaust the assets utilized in, and the proceeds obtained by the offender from, the illegal possession, manufacture, or distribution of controlled substances. Such fine shall not include assets concerning which the attorney for the Commonwealth has filed a forfeiture petition or concerning which he has given notice to the court of his intent to file a forfeiture petition.

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

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

(A) *OGS 1*

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

(B) *OGS 2*

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

(C) *OGS 3*

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

(D) *OGS 4*

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

(E) *OGS 5*

- i. PRS 0 225 hours—250 hours

(b) *Costs and fees.*

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

(i) 18 P.S. § 11.1101 (relating to Crime Victim's Compensation Fund and Victim Witness Services Fund costs)

(ii) 18 P.S. § 11.1102 (relating to costs of offender supervision programs)

(iii) 42 Pa.C.S. § 1725.3 (relating to criminal laboratory user fee)

(iv) 42 Pa.C.S. § 9721(c.1) (relating to mandatory payment of costs)

(v) 42 Pa.C.S. § 9728(b.2) (relating to mandatory payment of costs)

(2) Costs and fees, in addition to those required 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. § 1109 (relating to costs)

(ii) 42 Pa.C.S. § 1725 (relating to establishment of fees and charges)

(iii) 42 Pa.C.S. § 1725.1 (relating to costs)

(iv) 42 Pa.C.S. § 1725.2 (relating to assumption of summary conviction costs by county)

(v) 42 Pa.C.S. § 1726.1 (relating to forensic exam costs for sexual offenses)

(vi) 42 Pa.C.S. § 1726.2 (relating to criminal prosecutions involving domestic violence)

(vii) 42 Pa.C.S. § 9728(g) (relating to costs, etc.)

(c) *Restitution.*

(1) Restitution shall be added to any guideline sentence, as required 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 Pa.C.S. § 1107.1 (relating to restitution for identity theft)

(iv) 18 Pa.C.S. § 1110 (relating to restitution for cleanup of clandestine laboratories)

(v) 18 P.S. § 11.1302 (relating to restitution to the Office of Victim Services)

(vi) 42 Pa.C.S. § 9721(c) (relating to mandatory restitution)

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

§ 303.15. **Offense Listing.**

CRIMES CODE OFFENSES

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
901	Criminal attempt (Inchoate)	18 Pa.C.S. § 905	See § 303.3(c)	See § 303.8(b)
902	Criminal solicitation (Inchoate)	18 Pa.C.S. § 905	See § 303.3(c)	See § 303.8(b)
903	Criminal conspiracy (Inchoate)	18 Pa.C.S. § 905	See § 303.3(c)	See § 303.8(b)
907(a)	Possessing instruments of crime (criminal instruments)	M-1	3	m
907(b)	Possessing instruments of crime (weapon)	M-1	4	1

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
907(c)	Possessing instruments of crime (unlawful body armor)	F-3	5	1
908(a)	Prohibited offensive weapons	M-1	4	1
908.1(a)(1)	Use electric incapacitation device (intent to commit felony)	F-2	8	2
908.1(a)(1)	Use electric incapacitation device (no intent to commit felony)	M-1	5	1
908.1(a)(2)	Possess electric incapacitation device (intent to commit felony)	F-2	7	2
908.1(a)(2)	Possess electric incapacitation device (no intent to commit felony)	M-1	4	1
909(a)	Manufacture/etc.-master key for motor vehicle	M-1	3	m
910(a)(1)(i)	Manufacture/etc.-device for theft of telecommunications (>50 devices)	F-2	8	2
910(a)(1)(i)	Manufacture/etc.-device for theft of telecommunications (10-50 devices)	F-3	6	1
910(a)(1)(i)	Manufacture/etc.-device for theft of telecommunications (1st off)	M-1	4	m
910(a)(1)(i)	Manufacture/etc.-device for theft of telecommunications (2nd off)	F-3	6	1
910(a)(1)(i)	Manufacture/etc.-device for theft of telecommunications (3rd/subsq off)	F-2	8	2
910(a)(1)(ii)	Manufacture/etc.-device to conceal telecommunications (>50 devices)	F-2	8	2
910(a)(1)(ii)	Manufacture/etc.-device to conceal telecommunications (10-50 devices)	F-3	6	1
910(a)(1)(ii)	Manufacture/etc.-device to conceal telecommunications (1st off)	M-1	4	m
910(a)(1)(ii)	Manufacture/etc.-device to conceal telecommunications (2nd off)	F-3	6	1
910(a)(1)(ii)	Manufacture/etc.-device to conceal telecommunications (3rd/subsq off)	F-2	8	2
910(a)(2)(i)	Sell/etc. unlawful telecommunications device (>50 devices)	F-2	8	2
910(a)(2)(i)	Sell/etc. unlawful telecommunications device (10-50 devices)	F-3	6	1
910(a)(2)(i)	Sell/etc. unlawful telecommunications device (1st off)	M-1	4	m
910(a)(2)(i)	Sell/etc. unlawful telecommunications device (2nd off)	F-3	6	1
910(a)(2)(i)	Sell/etc. unlawful telecommunications device (3rd/subsq off)	F-2	8	2
910(a)(2)(ii)	Sell/etc. material for unlawful telecommunications device (>50 devices)	F-2	8	2
910(a)(2)(ii)	Sell/etc. material for unlawful telecommunications device (10-50 devices)	F-3	6	1
910(a)(2)(ii)	Sell/etc. material for unlawful telecommunications device (1st off)	M-1	4	m
910(a)(2)(ii)	Sell/etc. material for unlawful telecommunications device (2nd off)	F-3	6	1
910(a)(2)(ii)	Sell/etc. material for unlawful telecommunications device (3rd/subsq)	F-2	8	2
911(b)(1)	Corrupt organizations	F-1	8	3
911(b)(2)	Corrupt organizations-interest in/control of enterprise	F-1	8	3

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
911(b)(3)	Corrupt organizations-employee participation	F-1	8	3
911(b)(4)	Corrupt organizations-conspire	F-1	8	3
912(b)	Possession of weapon on school property	M-1	4	1
913(a)(1)	Possession of weapon in court facility	M-3	1	m
913(a)(2)	Possession of weapon in court facility (intend for crime)	M-1	3	1
2102(a)(1)	Desecration of flag (marks or writing)	M-3	1	m
2102(a)(2)	Desecration of flag (public view of defiled flag)	M-3	1	m
2102(a)(3)	Desecration of flag (manufactures for advertisement)	M-3	1	m
2102(a)(4)	Desecration of flag (defile/mutilate)	M-3	1	m
2103	Insults to national or Commonwealth flag	M-2	2	m
2502 Inchoate	—Attempt/solicitation/conspiracy to Murder (SBI)	18 Pa.C.S. § 1102(c)	14	4
2502 Inchoate	—Attempt/solicitation/conspiracy to Murder (No SBI)	18 Pa.C.S. § 1102(c)	13	4
2502(a)	Murder-1st degree	Murder of 1st Degree	18 Pa.C.S. § 1102(a)	4
2502(a)	Murder-1st degree (offender 15-<18 yrs)	Murder of 1st Degree	15	4
2502(a)	Murder-1st degree (offender <15 yrs)	Murder of 1st Degree	15	4
2502(b)	Murder-2nd degree	Murder of 2nd Degree	18 Pa.C.S. § 1102(b)	4
2502(b)	Murder-2nd degree (offender 15-<18 yrs)	Murder of 2nd Degree	15	4
2502(b)	Murder-2nd degree (offender <15 yrs)	Murder of 2nd Degree	15	4
2502(c)	Murder-3rd degree	F-1	14	4
2502(c)	Murder-3rd degree (victim <13 yrs)	F-1	14	4
2503(a)(1)	Voluntary manslaughter (provocation from victim)	F-1	11	4
2503(a)(2)	Voluntary manslaughter (provocation from another)	F-1	11	4
2503(b)	Voluntary manslaughter (believe justified)	F-1	11	4
2504(a)	Involuntary manslaughter (victim <12 yrs)	F-2	8	2
2504(a)*	Involuntary manslaughter (with DUI conviction)	M-1	8	1
2504(a)*	Involuntary manslaughter (with BUI conviction)	M-1	8	1
2504(a)*	Involuntary manslaughter	M-1	6	1
2505(a)	Suicide, causing (as homicide/murder 1)	Murder of 1st Degree	18 Pa.C.S. § 1102(a)	4
2505(a)	Suicide, causing (as homicide/murder 2)	Murder of 2nd Degree	18 Pa.C.S. § 1102(b)	4
2505(a)	Suicide, causing (as homicide/murder 3)	F-1	14	4
2505(a)	Suicide, causing (as homicide/vol manslaughter)	F-1	11	4
2505(a)	Suicide, causing (as homicide/invol. manslaughter)	M-1	6	1
2505(a)	Suicide, causing (as homicide/invol. manslaughter-victim <12 yrs)	F-2	8	2
2505(a)	Suicide, causing (as homicide/invol. manslaughter-w/ DUI or BUI conv)	M-1	8	1
2505(b)	Suicide, aiding or soliciting (positive result)	F-2	6	2
2505(b)	Suicide, aiding or soliciting (no result)	M-2	2	m

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
2506(a)	Drug delivery resulting in death	F-1	13	4
2507 Inchoate	—Attempt/solicitation/conspiracy to Murder of law enforcement officer (SBI)	18 Pa.C.S. § 1102(c)	14	4
2507 Inchoate	—Attempt/solicitation/conspiracy to Murder of law enforcement officer (No SBI)	18 Pa.C.S. § 1102(c)	13	4
2507(a)	Murder of law enforcement officer-1st degree	Murder of 1st Degree	18 Pa.C.S. § 1102(a)	4
2507(a)	Murder of law enforcement officer-1st degree (offender 15-<18 yrs.)	Murder of 1st Degree	15	4
2507(a)	Murder of law enforcement officer-1st degree (offender <15 yrs.)	Murder of 1st Degree	15	4
2507(b)	Murder of law enforcement officer-2nd degree	Murder of 2nd Degree	18 Pa.C.S. § 1102(b)	4
2507(b)	Murder of law enforcement officer-2nd degree (offender 15-<18 yrs.)	Murder of 2nd Degree	15	4
2507(b)	Murder of law enforcement officer-2nd degree (offender <15 yrs.)	Murder of 2nd Degree	15	4
2507(c)(1)(i)	Manslaughter of law enforcement officer (1st degree/provocation by victim)	F-1	14	4
2507(c)(1)(ii)	Manslaughter of law enforcement officer (1st degree/provocation by another)	F-1	14	4
2507(c)(2)	Manslaughter of law enforcement officer (1st degree/believe justified)	F-1	14	4
2507(d)	Manslaughter of law enforcement officer (2nd degree)	F-2	9	4
2604 Inchoate	—Attempt/solicitation/conspiracy to Murder of unborn child (SBI)	18 Pa.C.S. § 1102(c)	14	4
2604 Inchoate	—Attempt/solicitation/conspiracy to Murder of unborn child (No SBI)	18 Pa.C.S. § 1102(c)	13	4
2604(a)(1)	Murder of unborn child-1st degree	Murder of 1st Degree	18 Pa.C.S. § 1102(a)	4
2604(a)(1)	Murder of unborn child-1st degree (offender 15-<18 yrs.)	Murder of 1st Degree	15	4
2604(a)(1)	Murder of unborn child-1st degree (offender <15 yrs.)	Murder of 1st Degree	15	4
2604(b)(1)	Murder of unborn child-2nd degree	Murder of 2nd Degree	18 Pa.C.S. § 1102(b)	4
2604(b)(1)	Murder of unborn child-2nd degree (offender 15-<18 yrs.)	Murder of 2nd Degree	15	4
2604(b)(1)	Murder of unborn child-2nd degree (offender <15 yrs.)	Murder of 2nd Degree	15	4
2604(c)(1)	Murder of unborn child-3rd degree	F-1	14	4
2605(a)(1)	Voluntary manslaughter of unborn child (provocation from mother)	F-1	11	4
2605(a)(2)	Voluntary manslaughter of unborn child (provocation from another)	F-1	11	4
2605(b)	Voluntary manslaughter of unborn child (believe justified)	F-1	11	4
2606(a)*	Aggravated assault of unborn child (causes SBI)	F-1	11	4
2606(a)*	Aggravated assault of unborn child (attempts to cause SBI)	F-1	10	3
2701(a)(1)	Simple assault-attempt/cause BI	M-2	3	m
2701(a)(1)	Simple assault-attempt/cause BI (against child <12 by adult >=18)	M-1	4	1

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
2701(a)(1)	Simple assault-attempt/cause BI (mutual consent)	M-3	1	m
2701(a)(2)	Simple assault-cause BI w/ deadly weapon	M-2	3	m
2701(a)(2)	Simple assault-cause BI w/ deadly weapon (against child <12 by adult >=18)	M-1	4	1
2701(a)(2)	Simple assault-cause BI w/ deadly weapon (mutual consent)	M-3	1	m
2701(a)(3)	Simple assault-cause fear of SBI	M-2	3	m
2701(a)(3)	Simple assault-cause fear of SBI (against child <12 by adult >=18)	M-1	4	1
2701(a)(3)	Simple assault-cause fear of SBI (mutual consent)	M-3	1	m
2701(a)(4)	Simple assault-penetrate w/ hypodermic needle	M-2	3	m
2701(a)(4)	Simple assault-penetrate w/ hypodermic needle (against child <12 by adult >=18)	M-1	4	1
2701(a)(4)	Simple assault-penetrate w/ hypodermic needle (mutual consent)	M-3	1	m
2702(a)(1)*	Aggravated assault-cause SBI	F-1	11	4
2702(a)(1)*	Aggravated assault-attempt SBI	F-1	10	3
2702(a)(2)*	Aggravated assault-cause SBI to police/enumerated persons	F-1	11	4
2702(a)(2)*	Aggravated assault-attempt SBI to police/enumerated persons	F-1	10	3
2702(a)(3)	Aggravated assault- attempt /cause BI to police/enumerated persons	F-2	6	2
2702(a)(4)	Aggravated assault- attempt /cause BI w/ deadly weapon	F-2	8	2
2702(a)(5)	Aggravated assault- attempt /cause BI to teacher, etc	F-2	6	2
2702(a)(6)	Aggravated assault-cause fear of SBI	F-2	6	2
2702(a)(7)	Aggravated assault-use tear gas/electronic device ag. police, etc.	F-2	6	2
2702(a)(8)	Aggravated assault-attempt/cause BI (against child <6 by person >=18)	F-2	7	2
2702(a)(9)*	Aggravated assault-cause SBI (against child <13 by person >=18)	F-1	12	4
2702(a)(9)*	Aggravated assault-attempt SBI (against child <13 by person >=18)	F-1	11	4
2702.1(a)	Assault of law enforcement officer-discharge firearm (1st degree)	F-1	13	4
2703(a)	Assault by prisoner	F-2	7	2
2703.1	Aggravated harassment by prisoner	F-3	6	1
2704	Assault by life prisoner	Murder of 2nd Degree	18 Pa.C.S. § 1102(b)	4
2704 Inchoate	—Attempt/solicitation/conspiracy to assault by life prisoner (SBI)	18 Pa.C.S. § 1102(c)	14	4
2704 Inchoate	—Attempt/solicitation/conspiracy to assault by life prisoner (No SBI)	18 Pa.C.S. § 1102(c)	13	4
2705	Recklessly endangering another person	M-2	3	m
2706(a)(1)	Terroristic threats-intent to terrorize	M-1	3	m
2706(a)(1)	Terroristic threats-intent to terrorize/divert from activities	F-3	5	1
2706(a)(2)	Terroristic threats-cause evacuation of building	M-1	3	m

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
2706(a)(2)	Terroristic threats-cause evacuation of building/divert from activities	F-3	5	1
2706(a)(3)	Terroristic threats-serious public inconvenience	M-1	3	m
2706(a)(3)	Terroristic threats-serious public inconvenience/divert from activities	F-3	5	1
2707(a)	Propulsion of missiles into an occupied vehicle	M-1	3	m
2707(b)	Propulsion of missiles onto a roadway	M-2	2	m
2707.1(a)	Discharge of firearm into an occupied structure	F-3	10	1
2708(a)	Use of tear gas in labor dispute	M-1	3	m
2709(a)(1)	Harassment-subject other physical contact (prev. violation of order)	M-3	1	m
2709(a)(2)	Harassment-follow in public place (prev. violation of order)	M-3	1	m
2709(a)(3)	Harassment-course of conduct w/ no legitimate purpose (prev. violation of order)	M-3	1	m
2709(a)(4)	Harassment-lewd communication	M-3	1	m
2709(a)(5)	Harassment-repeated, anonymous communication	M-3	1	m
2709(a)(6)	Harassment-repeated communication: inconvenient hours	M-3	1	m
2709(a)(7)	Harassment-repeated communication: other	M-3	1	m
2709(a.1)(1)(i)	Cyber harassment of a child; seriously disparaging statements or opinion (course of conduct)	M-3	[omnibus] 1	m
2709(a.1)(1)(ii)	Cyber harassment of a child; threat to inflict harm (course of conduct)	M-3	[omnibus] 1	m
2709.1(a)(1)	Stalking-repeated acts to cause fear of BI (1st off)	M-1	4	m
2709.1(a)(1)	Stalking-repeated acts to cause fear of BI (2nd/subsq off)	F-3	6	1
2709.1(a)(1)	Stalking-repeated acts to cause fear of BI (prior crime of violence)	F-3	6	1
2709.1(a)(2)	Stalking-course of conduct to cause fear of BI (1st off)	M-1	4	m
2709.1(a)(2)	Stalking-course of conduct to cause fear of BI (2nd/subsq off)	F-3	6	1
2709.1(a)(2)	Stalking-course of conduct to cause fear of BI (prior crime of violence)	F-3	6	1
2710	Ethnic Intimidation	18 Pa.C.S. § 2710(b)	See § 303.3(d)	See § 303.8(c)
2712(a)	Assault-sports official	M-1	3	m
2713(a)(1)	Neglect of care-dependent person-no treatment (cause SBI)	F-1	10	3
2713(a)(1)	Neglect of care-dependent person-no treatment (cause BI)	M-1	4	m
2713(a)(2)	Neglect of care-dependent person-physical/chemical restraint (cause SBI)	F-1	10	3
2713(a)(2)	Neglect of care-dependent person-physical/chemical restraint (cause BI)	M-1	4	m
2714	Unauthorized administration of intoxicant	F-3	8	1
2715(a)(3)	Threat to use weapons of mass destruction-reports w/o knowledge	M-1	3	m
2715(a)(3)	Threat to use weapons of mass destruction-reports w/o knowledge (divert from activities)	F-3	5	1

THE GENERAL ASSEMBLY

2017

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
2715(a)(3)	Threat to use weapons of mass destruction-reports w/o knowledge (during emergency)	F-2	7	2
2715(a)(4)	Threat to use weapons of mass destruction-threaten placement	M-1	3	m
2715(a)(4)	Threat to use weapons of mass destruction-threaten placement (divert from activities)	F-3	7	1
2715(a)(4)	Threat to use weapons of mass destruction-threaten placement (during emergency)	F-2	7	2
2716(a)	Weapons of mass destruction-possession (1st off)	F-2	7	2
2716(a)	Weapons of mass destruction-possession (2nd/subsq off)	F-1	11	4
2716(b)(1)	Weapons of mass destruction-use (cause death)	Murder of 2nd Degree	18 Pa.C.S. § 1102(b)	4
2716(b)(1)	Weapons of mass destruction-use (cause injury/illness)	F-1	13	4
2716(b)(2)	Weapons of mass destruction-use (cause damage/disrupt water/food)	F-1	13	4
2716(b)(3)	Weapons of mass destruction-use (cause evacuation of building etc.)	F-1	13	4
2717(a)(1)	Terrorism-intim/coerce population (where violent offense is F-1)	F-1	one point higher than object offense	4
2717(a)(1)	Terrorism-intim/coerce population (where violent offense is F-2)	F-1	one point higher than object offense	3
2717(a)(1)	Terrorism-intim/coerce population (where violent offense is F-3 or ungraded felony)	F-2	one point higher than object offense	See § 303.7(a)
2717(a)(1)	Terrorism-intim/coerce population (where violent offense is M-1)	F-3	one point higher than object offense	See § 303.7(a)
2717(a)(1)	Terrorism-intim/coerce population (where violent offense is M-2)	M-1	one point higher than object offense	See § 303.7(a)
2717(a)(1)	Terrorism-intim/coerce population (where violent offense is M-3)	M-2	one point higher than object offense	See § 303.7(a)
2717(a)(2)	Terrorism-influence govt (where violent offense is F-1)	F-1	one point higher than object offense	4
2717(a)(2)	Terrorism-influence govt (where violent offense is F-2)	F-1	one point higher than object offense	3
2717(a)(2)	Terrorism-influence govt (where violent offense is F-3 or ungraded felony)	F-2	one point higher than object offense	See § 303.7(a)
2717(a)(2)	Terrorism-influence govt (where violent offense is M-1)	F-3	one point higher than object offense	See § 303.7(a)
2717(a)(2)	Terrorism-influence govt (where violent offense is M-2)	M-1	one point higher than object offense	See § 303.7(a)
2717(a)(2)	Terrorism-influence govt (where violent offense is M-3)	M-2	one point higher than object offense	See § 303.7(a)
2718(a)(1)	Strangulation: applying pressure to throat or neck	M-2	[omnibus 2] 3	m

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
2718(a)(1)	Strangulation: applying pressure to throat or neck	F-2	[omnibus 7] 9	2
2718(a)(1)	Strangulation: applying pressure to throat or neck	F-1	[omnibus 8] 10	3
2718(a)(2)	Strangulation: blocking nose and mouth	M-2	[omnibus 2] 3	m
2718(a)(2)	Strangulation: blocking nose and mouth	F-2	[omnibus 7] 9	2
2718(a)(2)	Strangulation: blocking nose and mouth	F-1	[omnibus 8] 10	3
2901(a)(1)	Kidnapping-for ransom (victim >=18 yrs)	F-1	10	4
2901(a)(2)	Kidnapping-to facilitate a felony (victim >=18 yrs)	F-1	10	4
2901(a)(3)	Kidnapping-to inflict terror, BI (victim >=18 yrs)	F-1	10	4
2901(a)(4)	Kidnapping-to interfere w/ performance of pub. official (victim >=18 yrs)	F-1	10	4
2901(a.1)(1)*	Kidnapping-minor, for ransom/etc. (victim 14-<18 yrs)	F-1	10	4
2901(a.1)(1)*	Kidnapping-minor, for ransom/etc. (victim <14 yrs)	F-1	10	4
2901(a.1)(2)*	Kidnapping-minor, to facilitate felony (victim 14-<18 yrs)	F-1	10	4
2901(a.1)(2)*	Kidnapping-minor, to facilitate felony (victim <14 yrs)	F-1	10	4
2901(a.1)(3)*	Kidnapping-minor, to inflict terror, BI (victim 14-<18 yrs)	F-1	10	4
2901(a.1)(3)*	Kidnapping-minor, to inflict terror, BI (victim <14 yrs)	F-1	10	4
2901(a.1)(4)*	Kidnapping-minor, to interfere w/ pub. official (victim 14-<18 yrs)	F-1	10	4
2901(a.1)(4)*	Kidnapping-minor, to interfere w/ pub. official (victim <14 yrs)	F-1	10	4
2902(a)(1)	Unlawful restraint-risk SBI	M-1	3	m
2902(a)(2)	Unlawful restraint-involuntary servitude	M-1	3	m
2902(b)(1)	Unlawful restraint-risk SBI (victim <18 yrs)	F-2	8	2
2902(b)(2)	Unlawful restraint-involuntary servitude (victim <18 yrs)	F-2	8	2
2902(c)(1)	Unlawful restraint by parent-risk SBI (victim <18 yrs)	F-2	8	2
2902(c)(2)	Unlawful restraint by parent-involuntary servitude (victim <18 yrs)	F-2	8	2
2903(a)	False imprisonment (victim >=18 yrs)	M-2	2	m
2903(b)	False imprisonment (victim <18 yrs)	F-2	8	2
2903(c)	False imprisonment by parent (victim<18 yrs)	F-2	7	2
2904(a)	Interfere with custody of children	F-3	6	1
2904(a)	Interfere with custody of children-good cause/time <24 hrs.	M-2	3	m
2904(a)	Interfere with custody of children-w/ reckless disregard	F-2	8	2
2905(a)	Interfere with custody of committed person	M-2	4	m
2906(a)(1)	Criminal coercion-threat to commit crime	M-2	2	m
2906(a)(1)	Criminal coercion-threat to commit crime (felony)	M-1	3	m
2906(a)(2)	Criminal coercion-threat to accuse of crime	M-2	2	m

THE GENERAL ASSEMBLY

2019

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
2906(a)(2)	Criminal coercion-threat to accuse of crime (felony)	M-1	3	m
2906(a)(3)	Criminal coercion-threat to expose secret	M-2	2	m
2906(a)(3)	Criminal coercion-threat to expose secret (felony)	M-1	3	m
2906(a)(4)	Criminal coercion-threaten official act	M-2	2	m
2906(a)(4)	Criminal coercion-threaten official act (felony)	M-1	3	m
2907	Disposition of ransom	F-3	5	1
2909(b)(1)	Concealment of whereabouts of a child-in Commonwealth	F-3	4	1
2909(b)(2)	Concealment of whereabouts of a child-parents in Commonwealth	F-3	4	1
2910(a)	Luring child into motor vehicle/structure	M-1	5	1
2910	Luring a child into motor vehicle/structure (child <13 yrs)	F-2	8	2
3011(a)(1)	Human trafficking-trafficking in individuals (recruits, entices, solicits, harbors, etc.)	F-2	9	2
3011(a)(2)	Human trafficking-trafficking in individuals (knowingly benefits financially)	F-2	9	4
3011(b)	Human trafficking-trafficking in minors (activities in (a) result in minor's sexual servitude)	F-1	12	4
3012(b)(1)*	Hunan trafficking-involuntary servitude (cause serious harm)	F-1	10	3
3012(b)(1)*	Human trafficking-involuntary servitude (threaten serious harm)	F-1	9	3
3012(b)(2)*	Human trafficking-involuntary servitude (physically restrain another)	F-1	10	3
3012(b)(2)*	Human trafficking-involuntary servitude (threaten to physically restrain another)	F-1	9	3
3012(b)(3)*	Human trafficking-involuntary servitude (kidnap)	F-1	11	4
3012(b)(3)*	Human trafficking-involuntary servitude (attempt to kidnap)	F-1	10	3
3012(b)(4)*	Human trafficking-involuntary servitude (abuse legal process)	F-1	10	3
3012(b)(4)*	Human trafficking-involuntary servitude (threaten to abuse legal process)	F-1	9	3
3012(b)(5)	Human trafficking-involuntary servitude (taking/retaining personal property)	F-1	10	3
3012(b)(6)	Human trafficking-involuntary servitude (unlawful conduct of documents)	F-1	10	3
3012(b)(7)	Human trafficking-involuntary servitude (extortion)	F-1	10	3
3012(b)(8)	Human trafficking-involuntary servitude (fraud)	F-1	10	3
3012(b)(9)	Human trafficking-involuntary servitude (criminal coercion)	F-1	10	3
3012(b)(10)*	Human trafficking-involuntary servitude (duress through force)	F-1	10	3
3012(b)(10)*	Human trafficking-involuntary servitude (duress through threat of force)	F-1	9	3
3012(b)(11)	Human trafficking-involuntary servitude (debt coercion)	F-1	10	3
3012(b)(12)	Human trafficking-involuntary servitude (facilitate/restrict access to controlled substance)	F-1	10	3

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
3012(b)(13)	Human trafficking-involuntary servitude (cause believe harm/restraint to another)	F-1	10	3
3013(a)	Human trafficking-patronizing victim of sexual servitude	F-2	10	2
3014(1)	Human trafficking-unlawful conduct regarding documents (passport/other immigration document)	F-3	6	1
3014(2)	Human trafficking-unlawful conduct regarding documents (government ID document)	F-3	6	1
3015(a)(1)	Human trafficking-nonpayment of wages (<\$2,000)	M-3	2	m
3015(a)(2)(i)	Human trafficking-monpayment of wages (=>\$2,000)	F-3	6	1
3015(a)(2)(ii)	Human trafficking-nonpayment of wages (2nd/subsq. violation)	F-3	6	1
3015(a)(2)(iii)	Human trafficking-nonpayment of wages (falsely denies amount due or validity of claim)	F-3	6	1
3016	Human trafficking-obstruction of justice; interfere with enforcement of Chapter 30	Same as corresponding offense under 18 Pa.C.S. Chapter 30	Same as corresponding offense under 18 Pa.C.S. Chapter 30	Same as corresponding offense under 18 Pa.C.S. Chapter 30
3121(a)(1)	Rape-forcible compulsion	F-1	12	4
3121(a)(1)	Rape-forcible compulsion (uses substance to impair)	F-1	13	4
3121(a)(2)	Rape-threat of forcible compulsion	F-1	12	4
3121(a)(2)	Rape-threat of forcible compulsion (uses substance to impair)	F-1	13	4
3121(a)(3)	Rape-unconscious victim	F-1	12	4
3121(a)(3)	Rape-unconscious victim (uses substance to impair)	F-1	13	4
3121(a)(4)	Rape-substantially impaired victim	F-1	12	4
3121(a)(4)	Rape-substantially impaired victim (uses substance to impair)	F-1	13	4
3121(a)(5)	Rape-mentally disabled victim	F-1	12	4
3121(a)(5)	Rape-mentally disabled victim (uses substance to impair)	F-1	13	4
3121(c)	Rape-child (victim <13 yrs)	F-1	14	4
3121(d)	Rape-child w/ SBI (victim <13 yrs)	F-1	14	4
3122.1(a)(1)	Statutory sexual assault-victim <16 yrs (person 4-<8 yrs older)	F-2	7	2
3122.1(a)(2)	Statutory sexual assault-victim <16 yrs (person 8-<11 yrs older)	F-2	8	2
3122.1(b)	Statutory sexual assault-victim <16 yrs (person >=11 yrs older)	F-1	9	3
3123(a)(1)	IDSI-forcible compulsion	F-1	12	4
3123(a)(2)	IDSI-threat of forcible compulsion	F-1	12	4
3123(a)(3)	IDSI-unconscious victim	F-1	12	4
3123(a)(4)	IDSI-substantially impaired victim	F-1	12	4
3123(a)(5)	IDSI-mentally disabled victim	F-1	12	4
3123(a)(7)	IDSI-victim <16 yrs (person >=4 yrs older)	F-1	12	4
3123(b)	IDSI-child (victim <13 yrs)	F-1	14	4
3123(c)	IDSI-child w/ SBI (victim <13 yrs)	F-1	14	4
3124.1	Sexual assault	F-2	11	4

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
3124.2(a)	Institutional sexual assault-generally	F-3	6	1
3124.2(a.1)	Institutional sexual assault-minor (victim <18 yrs)	F-3	6	1
3124.2(a.2)	Institutional sexual assault-by school volunteer/employee	F-3	6	1
3124.2(a.3)	Institutional sexual assault-by child care volunteer/employee	F-3	6	1
3124.3(a)	Sexual assault by sports official of non-profit association	F-3	6	1
3124.3(b)	Sexual assault by volunteer or employee of non-profit association	F-3	6	1
3125(a)(1)	Aggravated indecent assault-w/o consent	F-2	10	4
3125(a)(1)	Aggravated indecent assault-of a child w/out consent (victim <13 yrs)	F-1	12	4
3125(a)(2)	Aggravated indecent assault-forcible compulsion	F-2	10	4
3125(a)(2)	Aggravated indecent assault-of a child/forcible compulsion (victim <13 yrs)	F-1	12	4
3125(a)(3)	Aggravated indecent assault-threat of forcible compulsion	F-2	10	4
3125(a)(3)	Aggravated indecent assault-of a child/threat of forcible compulsion (victim <13 yrs)	F-1	12	4
3125(a)(4)	Aggravated indecent assault-unconscious victim	F-2	10	4
3125(a)(4)	Aggravated indecent assault-of a child/unconscious victim (victim <13 yrs)	F-1	12	4
3125(a)(5)	Aggravated indecent assault-substantially impaired victim	F-2	10	4
3125(a)(5)	Aggravated indecent assault-of a child/substantially impaired victim (<13 yrs)	F-1	12	4
3125(a)(6)	Aggravated indecent assault-mentally disabled victim	F-2	10	4
3125(a)(6)	Aggravated indecent assault-of a child/mentally disabled victim (<13 yrs)	F-1	12	4
3125(a)(7)	Aggravated indecent assault-victim <13 yrs	F-2	10	4
3125(a)(8)	Aggravated indecent assault-victim <16 yrs (person >=4 yrs older)	F-2	10	4
3126(a)(1)	Indecent assault-w/o consent	M-2	4	m
3126(a)(2)	Indecent assault-forcible compulsion	M-1	5	m
3126(a)(3)	Indecent assault-threat of forcible compulsion	M-1	5	m
3126(a)(4)	Indecent assault-unconscious victim	M-1	5	m
3126(a)(5)	Indecent assault-substantially impaired victim	M-1	5	m
3126(a)(6)	Indecent assault-mentally disabled victim	M-1	5	m
3126(a)(7)	Indecent assault-victim <13 yrs	M-1	5	1
3126(a)(7)	Indecent assault-victim <13 yrs (2nd/subsq)	F-3	6	1
3126(a)(7)	Indecent assault-victim <13 yrs/course of conduct	F-3	6	1
3126(a)(7)	Indecent assault-victim <13 yrs/touching victim's sexual parts w/ person's	F-3	6	1
3126(a)(7)	Indecent assault-victim <13 yrs/touching person's sexual parts w/ victim's	F-3	6	1
3126(a)(8)	Indecent assault-victim <16 yrs (person >=4 yrs older)	M-2	4	m
3127(a)	Indecent exposure	M-2	3	m
3127(a)	Indecent exposure-victim <16 yrs	M-1	4	1
3129	Sexual intercourse with animal	M-2	2	m

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
3130(a)(1)	Conduct relating to sex offenders-withhold information	F-3	5	1
3130(a)(2)	Conduct relating to sex offenders-harbor sex offender	F-3	5	1
3130(a)(3)	Conduct relating to sex offenders-conceal sex offender	F-3	5	1
3130(a)(4)	Conduct relating to sex offenders-provide false information	F-3	5	1
3131(a)	Unlawful dissemination of intimate image (person depicted is minor <18 yrs)	M-1	3	m
3131(a)	Unlawful dissemination of intimate image (person depicted is not minor =>18 yrs)	M-2	2	m
3301(a)(1)(i)*	Arson endangering persons-danger of death (person in building or BI results)	F-1	10	4
3301(a)(1)(i)*	Arson endangering persons-danger of death (no person in building and no BI)	F-1	9	4
3301(a)(1)(i)*	Arson endangering persons-danger of death (cause SBI to civilian)	F-1	11	4
3301(a)(1)(i)*	Arson endangering persons-danger of death (cause BI to firefighter, etc.)	F-1	11	4
3301(a)(1)(ii)*	Arson endangering persons-inhabited building (person in building or BI results)	F-1	10	4
3301(a)(1)(ii)*	Arson endangering persons-inhabited building (no person in building and no BI)	F-1	9	4
3301(a)(1)(ii)*	Arson endangering persons-inhabited building (cause SBI to civilian)	F-1	11	4
3301(a)(1)(ii)*	Arson endangering persons-inhabited building (cause BI to firefighter, etc.)	F-1	11	4
3301(a)(2)	Arson endangering persons-cause death w/ intent (murder-1st degree)	Murder of 1st Degree	18 Pa.C.S. § 1102(a)	4
3301(a)(2)	Arson endangering persons-cause death (murder-2nd degree)	Murder of 2nd Degree	18 Pa.C.S. § 1102(b)	4
3301(a.1)(1)(i)*	Aggravated arson-attempt BI to civilian	F-1	10	4
3301(a.1)(1)(i)*	Aggravated arson-cause BI to civilian	F-1	11	4
3301(a.1)(1)(i)*	Aggravated arson-attempt SBI to civilian	F-1	11	4
3301(a.1)(1)(i)*	Aggravated arson-cause SBI to civilian	F-1	12	4
3301(a.1)(1)(i)*	Aggravated arson-attempt BI to firefighter, etc.	F-1	11	4
3301(a.1)(1)(i)*	Aggravated arson-cause BI to firefighter, etc.	F-1	12	4
3301(a.1)(1)(ii)	Aggravated arson-other felony arson (when person present inside property)	F-1	10	4
3301(a.1)(2)	Aggravated arson-fire/explosion causes death of any person	Murder of 2nd Degree	18 Pa.C.S. § 1102(b)	4
3301(a.2)(1)	Arson of historic resource-w/ intent (fire/explosion)	F-2	7	2
3301(a.2)(2)	Arson of historic resource-aids/pays (fire/explosion)	F-2	7	2
3301(c)(1)	Arson endangering property-intent to destroy unoccupied bldg	F-2	6	2
3301(c)(2)	Arson endangering property-endangers inhabited building	F-2	6	2
3301(c)(3)	Arson endangering property-intent to collect insurance	F-2	6	2
3301(d)(1)	Arson-reckless burning or exploding (endanger unoccupied bldg)	F-3	5	1

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
3301(d)(2)	Arson-reckless burning or exploding (endanger property >\$5000)	F-3	5	1
3301(e)(1)	Arson-failure to control/report (duty)	M-1	3	m
3301(e)(2)	Arson-failure to control/report (own property)	M-1	3	m
3301(f)	Arson-possess explosive material (intent to use)	F-3	5	1
3301(g)	Arson-failure to disclose true owner	M-3	1	m
3302(a)	Catastrophe-causing (intentionally)	F-1	10	3
3302(a)	Catastrophe-causing (recklessly)	F-2	6	2
3302(b)	Catastrophe-risking	F-3	4	1
3303(1)	Failure to prevent catastrophe-duty	M-2	2	m
3303(2)	Failure to prevent catastrophe-acted or assented to	M-2	2	m
3304(a)(1)	Criminal mischief-damage prop/intent/reckless/neglig (>\$5,000)	F-3	5	1
3304(a)(1)	Criminal mischief-damage prop/intent/reckless/neglig (>\$1,000)	M-2	2	m
3304(a)(1)	Criminal mischief-damage prop/intent/reckless/neglig (>\$500)	M-3	1	m
3304(a)(2)	Criminal mischief-tamper w/ property (>\$5,000)	F-3	5	1
3304(a)(2)	Criminal mischief-tamper w/ property (>\$1,000)	M-2	2	m
3304(a)(2)	Criminal mischief-tamper w/ property (>\$500)	M-3	1	m
3304(a)(3)	Criminal mischief-cause pecuniary loss (>\$5,000)	F-3	5	1
3304(a)(3)	Criminal mischief-cause pecuniary loss (>\$1,000)	M-2	2	m
3304(a)(3)	Criminal mischief-cause pecuniary loss (>\$500)	M-3	1	m
3304(a)(4)	Criminal mischief-graffiti (>\$5,000)	F-3	5	1
3304(a)(4)	Criminal mischief-graffiti (>\$1,000)	M-2	2	m
3304(a)(4)	Criminal mischief-graffiti (>\$150)	M-3	1	m
3304(a)(5)	Criminal mischief-damage property (>\$5,000)	F-3	5	1
3304(a)(5)	Criminal mischief-damage property (>\$1,000)	M-2	2	m
3304(a)(5)	Criminal mischief-damage property (>\$500)	M-3	1	m
3304(a)(6)	Criminal mischief-paintball (>\$5,000)	F-3	5	1
3304(a)(6)	Criminal mischief-paintball (>\$1,000)	M-2	2	m
3304(a)(6)	Criminal mischief-paintball (>\$500)	M-3	1	m
3305	Tampering w/ fire apparatus/hydrants	M-3	1	m
3307(a)(1)	Institutional vandalism-place of worship (>\$5,000 or desecration)	F-3	5	1
3307(a)(1)	Institutional vandalism-place of worship (<=\$5,000)	M-2	2	m
3307(a)(2)	Institutional vandalism-cemetery (>\$5,000 or desecration)	F-3	5	1
3307(a)(3)	Institutional vandalism-school (>\$5,000 or desecration)	F-3	5	1
3307(a)(3)	Institutional vandalism-school (<=\$5,000)	M-2	2	m
3307(a)(3)	Institutional vandalism-cemetery (<=\$5,000)	M-2	2	m
3307(a)(4)	Institutional vandalism-adjacent grounds (>\$5,000 or desecration)	F-3	5	1
3307(a)(4)	Institutional vandalism-adjacent grounds (<=\$5,000)	M-2	2	m
3307(a)(5)	Institutional vandalism-personal property (>\$5,000 or desecration)	F-3	5	1
3307(a)(5)	Institutional vandalism-personal property (<=\$5,000)	M-2	2	m

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
3307(a.1)	Institutional vandalism-possess marking device on property	M-2	2	m
3309(a)	Agricultural vandalism (>\$5,000)	F-3	5	1
3309(a)	Agricultural vandalism (>\$1,000)	M-1	3	m
3309(a)	Agricultural vandalism (>\$500)	M-2	2	m
3309(a)	Agricultural vandalism (<=\$500)	M-3	1	m
3310(a)	Agricultural crop destruction	F-2	7	2
3311(a)(1)(i)	Ecoterrorism-intimidate individual participation (if off is F-1)	F-1	14	4
3311(a)(1)(i)	Ecoterrorism-intimidate individual participation (if off is F-2)	F-1	one point higher than object offense	See § 303.7(a)
3311(a)(1)(i)	Ecoterrorism-intimidate individual participation (if off is F-3/ungr fel)	F-2	one point higher than object offense	See § 303.7(a)
3311(a)(1)(i)	Ecoterrorism-intimidate individual participation (if off is M-1)	F-3	one point higher than object offense	See § 303.7(a)
3311(a)(1)(i)	Ecoterrorism-intimidate individual participation (if off is M-2)	M-1	one point higher than object offense	See § 303.7(a)
3311(a)(1)(i)	Ecoterrorism-intimidate individual participation (if off is M-3/ungr misd)	M-2	one point higher than object offense	See § 303.7(a)
3311(a)(1)(i)	Ecoterrorism-intimidate individual participation (if off is S)	M-3	one point higher than object offense	See § 303.7(a)
3311(a)(1)(ii)	Ecoterrorism-intimidate individ. using animal/plant/etc. (if off is F-1)	F-1	14	4
3311(a)(1)(ii)	Ecoterrorism-intimidate individ. using animal/plant/etc. (if off is F-2)	F-1	one point higher than object offense	See § 303.7(a)
3311(a)(1)(ii)	Ecoterrorism-intimidate individ. using animal/plant/etc. (if off is F-3/ungr fel)	F-2	one point higher than object offense	See § 303.7(a)
3311(a)(1)(ii)	Ecoterrorism-intimidate individ. using animal/plant/etc. (if off is M-1)	F-3	one point higher than object offense	See § 303.7(a)
3311(a)(1)(ii)	Ecoterrorism-intimidate individ. using animal/plant/etc. (if off is M-2)	M-1	one point higher than object offense	See § 303.7(a)
3311(a)(1)(ii)	Ecoterrorism-intimidate individ. using animal/plant/etc. (if off is M-3/ungr misd)	M-2	one point higher than object offense	See § 303.7(a)
3311(a)(1)(ii)	Ecoterrorism-intimidate individ. using animal/plant/etc. (if off is S)	M-3	one point higher than object offense	See § 303.7(a)
3311(a)(2)(i)	Ecoterrorism-obstruct individ. from activity (if off is F-1)	F-1	14	4
3311(a)(2)(i)	Ecoterrorism-obstruct individ. from activity (if off is F-2)	F-1	one point higher than object offense	See § 303.7(a)
3311(a)(2)(i)	Ecoterrorism-obstruct individ. from activity (if off is F-3/ungr fel)	F-2	one point higher than object offense	See § 303.7(a)

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
3311(a)(2)(i)	Ecoterrorism-obstruct individ. from activity (if off is M-1)	F-3	one point higher than object offense	See § 303.7(a)
3311(a)(2)(i)	Ecoterrorism-obstruct individ. from activity (if off is M-2)	M-1	one point higher than object offense	See § 303.7(a)
3311(a)(2)(i)	Ecoterrorism-obstruct individ. from activity (if off is M-3/ungr misd)	M-2	one point higher than object offense	See § 303.7(a)
3311(a)(2)(i)	Ecoterrorism-obstruct individ. from activity (if off is S)	M-3	one point higher than object offense	See § 303.7(a)
3311(a)(2)(ii)	Ecoterrorism-obstruct individ. using animal/plant/etc. (if off is F-1)	F-1	14	4
3311(a)(2)(ii)	Ecoterrorism-obstruct individ. using animal/plant/etc. (if off is F-2)	F-1	one point higher than object offense	See § 303.7(a)
3311(a)(2)(ii)	Ecoterrorism-obstruct individ. using animal/plant/etc. (if off is F-3/ungr fel)	F-2	one point higher than object offense	See § 303.7(a)
3311(a)(2)(ii)	Ecoterrorism-obstruct individ. using animal/plant/etc. (if off is M-1)	F-3	one point higher than object offense	See § 303.7(a)
3311(a)(2)(ii)	Ecoterrorism-obstruct individ. using animal/plant/etc. (if off is M-2)	M-1	one point higher than object offense	See § 303.7(a)
3311(a)(2)(ii)	Ecoterrorism-obstruct individ. using animal/plant/etc. (if off is M-3)	M-2	one point higher than object offense	See § 303.7(a)
3311(a)(2)(ii)	Ecoterrorism-obstruct individ. using animal/plant/etc. (if off is S)	M-3	one point higher than object offense	See § 303.7(a)
3312(a)(2)	Destruction of survey monument-call boundary into question	M-2	3	m
3313(a)	Illegal dumping of methamphetamine waste	F-3	5	1
3502(a)(1)(i)	Burglary-home/person present (commit/attempt/threaten BI; violate protective order)	F-1	10 [9]	4
[3502(a)(1)] 3502(a)(1)(ii)	Burglary-home/person present	F-1	9	4
3502(a)(2)	Burglary-home/no person present	F-1	7	3
3502(a)(3)	Burglary-not a home/person present	F-1	6	3
3502(a)(4)	Burglary-not a home/no person present	F-2	5	2
3502(a)(4)	Burglary-not a home/no person present (commit theft of drugs)	F-1	7	3
3503(a)(1)(i)	Criminal trespass-buildings	F-3	3	1
3503(a)(1)(ii)	Criminal trespass-buildings (break in)	F-2	4	2
3503(b)(1)(i)	Criminal trespass-defiant (notice by communication)	M-3	1	m
3503(b)(1)(ii)	Criminal trespass-defiant (notice posted)	M-3	1	m
3503(b)(1)(iii)	Criminal trespass-defiant (notice by fencing)	M-3	1	m
3503(b)(1)(iv)	Criminal trespass-defiant (notice posted/school grounds)	M-3	1	m
3503(b)(1)(v)	Criminal trespass-defiant (communication/leave school grounds)	M-1	3	m

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
3503(b.1)(1)(iv)	Criminal trespass-simple trespasser (to take secondary metal)	M-1	3	m
3503(b.2)(1)(i)	Criminal trespass-agricultural trespass (posted land)	M-3	1	m
3503(b.2)(1)(ii)	Criminal trespass-agricultural trespass (defies order)	M-2	3	m
3503(b.3)(1)(i)	Agricultural biosecurity trespass-enter w/o license	M-3	1	m
3503(b.3)(1)(i)	Agricultural biosecurity trespass-enter w/o license (damage plant/animal)	M-1	3	m
3503(b.3)(1)(ii)	Agricultural biosecurity trespass-fail to perform measure (damage plant/animal)	M-1	3	m
3504(a)(1)(i)	Railroad vandalism to RR property-by disrupting train operation	M-3	1	m
3504(a)(1)(ii)	Railroad vandalism to RR property-by driving vehicle	M-3	1	m
3504(a)(1)(iii)	Railroad vandalism to RR property-by damaging property/equipment	M-3	1	m
3504(b)	Railroad protection-stowaways prohibited	M-3	1	m
3701(a)(1)(i)	Robbery-inflicts SBI	F-1	12	4
3701(a)(1)(i)	Robbery-inflicts SBI (drug-related)	F-1	13	4
3701(a)(1)(ii)	Robbery-threatens SBI	F-1	10	4
3701(a)(1)(ii)	Robbery-threaten SBI (drug-related)	F-1	11	4
3701(a)(1)(iii)	Robbery-commit/threaten any F1 or F2	F-1	9	4
3701(a)(1)(iii)	Robbery-commit/threaten any F1 or F2 (drug-related)	F-1	10	4
3701(a)(1)(iv)	Robbery-inflicts/threatens BI	F-2	7	2
3701(a)(1)(iv)	Robbery-inflicts/threatens BI (drug-related)	F-1	8	3
3701(a)(1)(v)	Robbery-takes property by force	F-3	5	1
3701(a)(1)(v)	Robbery-takes property by force (drug-related)	F-1	6	3
3701(a)(1)(vi)	Robbery-demand money from financial institution	F-2	7	2
3702(a)*	Robbery of motor vehicle-with SBI	F-1	12	4
3702(a)*	Robbery of motor vehicle-without SBI	F-1	9	4
3921(a)	Theft by unlaw taking-movable property (anhydrous ammonia)	F-2	8	2
3921(a)	Theft by unlaw taking-movable property (disaster)	F-2	8	2
3921(a)	Theft by unlaw taking-movable property (firearm)	F-2	8	2
3921(a)	Theft by unlaw taking-movable property (>= \$500,000)	F-1	8	3
3921(a)	Theft by unlaw taking-movable property (\$100,000-<\$500,000)	F-2	7	2
3921(a)*	Theft by unlaw taking-movable property (>\$25,000-<\$100,000/or motorized vehicle)	F-3	6	1
3921(a)*	Theft by unlaw taking-movable property (>\$2,000-\$25,000)	F-3	5	1
3921(a)	Theft by unlaw taking-movable property (<=\$2,000/from indiv./by threat/breach)	M-1	3	m
3921(a)	Theft by unlaw taking-movable property (\$200-\$2,000/no threat)	M-1	3	m
3921(a)	Theft by unlaw taking-movable property (\$50-<\$200/no threat)	M-2	2	m

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

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

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

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
3923(a)(5)	Theft by extortion-strike/boycott (<\$50/no threat)	M-3	1	m
3923(a)(6)	Theft by extortion-testimony (anhydrous ammonia)	F-2	8	2
3923(a)(6)	Theft by extortion-testimony (firearm)	F-2	8	2
3923(a)(6)	Theft by extortion-testimony (=>\$500,000)	F-1	8	3
3923(a)(6)	Theft by extortion-testimony (\$100,000-<\$500,000)	F-2	7	2
3923(a)(6)*	Theft by extortion-testimony (>\$25,000-<\$100,000/or motorized vehicle)	F-3	6	1
3923(a)(6)*	Theft by extortion-testimony (>\$2,000-\$25,000)	F-3	5	1
3923(a)(6)	Theft by extortion-testimony (<=\$2,000/from indiv./by threat/breach)	M-1	4	m
3923(a)(6)	Theft by extortion-testimony (\$200-\$2,000/no threat)	M-1	4	m
3923(a)(6)	Theft by extortion-testimony (\$50-<\$200/no threat)	M-2	2	m
3923(a)(6)	Theft by extortion-testimony (<\$50/no threat)	M-3	1	m
3923(a)(7)	Theft by extortion-inflict harm (anhydrous ammonia)	F-2	8	2
3923(a)(7)	Theft by extortion-inflict harm (firearm)	F-2	8	2
3923(a)(7)	Theft by extortion-inflict harm (=>\$500,000)	F-1	8	3
3923(a)(7)	Theft by extortion-inflict harm (\$100,000-<\$500,000)	F-2	7	2
3923(a)(7)	Theft by extortion-inflict harm (>\$25,000-<\$100,000/or motorized vehicle)	F-3	6	1
3923(a)(7)*	Theft by extortion-inflict harm (>\$2,000-\$25,000)	F-3	5	1
3923(a)(7)	Theft by extortion-inflict harm (<=\$2,000/from indiv./by threat/breach)	M-1	4	m
3923(a)(7)	Theft by extortion-inflict harm (\$200-\$2,000/no threat)	M-1	4	m
3923(a)(7)	Theft by extortion-inflict harm (\$50-<\$200/no threat)	M-2	2	m
3923(a)(7)	Theft by extortion-inflict harm (<\$50/no threat)	M-3	1	m
3924	Theft of property-lost/mislaid (anhydrous ammonia)	F-2	8	2
3924	Theft of property-lost/mislaid (firearm)	F-2	8	2
3924	Theft of property-lost/mislaid (=>\$500,000)	F-1	8	3
3924	Theft of property-lost/mislaid (\$100,000-<\$500,000)	F-2	7	2
3924*	Theft of property-lost/mislaid (>\$25,000-<\$100,000/or motorized vehicle)	F-3	6	1
3924*	Theft of property-lost/mislaid (>\$2,000-\$25,000)	F-3	5	1
3924	Theft of property-lost/mislaid (<=\$2,000/from indiv./by threat/breach)	M-1	3	m
3924	Theft of property-lost/mislaid (\$200-\$2,000/no threat)	M-1	3	m
3924	Theft of property-lost/mislaid (\$50-<\$200/no threat)	M-2	2	m
3924	Theft of property-lost/mislaid (<\$50/no threat)	M-3	1	m
3925(a)	Theft by receiving stolen property (anhydrous ammonia)	F-2	8	2
3925(a)	Theft by receiving stolen property (disaster)	F-2	8	2
3925(a)	Theft by receiving stolen property (firearm/receiver in business)	F-1	9	3

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

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
3926(b)	Theft of services-divert service (firearm)	F-2	8	2
3926(b)	Theft of services-divert service (>= \$500,000)	F-1	8	3
3926(b)	Theft of services-divert service (\$100,000-<\$500,000)	F-2	7	2
3926(b)*	Theft of services-divert service (>\$25,000-<\$100,000/or motorized vehicle)	F-3	6	1
3926(b)*	Theft of services-divert service (>\$2,000-\$25,000)	F-3	5	1
3926(b)	Theft of services-divert service (<=\$2,000/from indiv./by threat/breach)	M-1	3	m
3926(b)	Theft of services-divert service (\$200-\$2,000/no threat)	M-1	3	m
3926(b)	Theft of services-divert service (\$50-<\$200/no threat)	M-2	2	m
3926(b)	Theft of services-divert service (<\$50/no threat)	M-3	1	m
3926(e)	Theft of services-transfer device/plan	M-3	1	m
3927(a)	Theft by failure-req. disposition funds (anhydrous ammonia)	F-2	8	2
3927(a)	Theft by failure-req. disposition funds (firearm)	F-2	8	2
3927(a)	Theft by failure-req. disposition funds (>= \$500,000)	F-1	8	3
3927(a)	Theft by failure-req. disposition funds (\$100,000-<\$500,000)	F-2	7	2
3927(a)*	Theft by failure-req. disposition funds (>\$25,000-<\$100,000/or motorized vehicle)	F-3	6	1
3927(a)*	Theft by failure-req. disposition funds (>\$2,000-\$25,000)	F-3	5	1
3927(a)	Theft by failure-req. disposition funds (<=\$2,000/from indiv./by threat/breach)	M-1	3	m
3927(a)	Theft by failure-req. disposition funds (\$200-\$2,000/no threat)	M-1	3	m
3927(a)	Theft by failure-req. disposition funds (\$50-<\$200/no threat)	M-2	2	m
3927(a)	Theft by failure-req. disposition funds (<\$50/no threat)	M-3	1	m
3928(a)	Unauthorized use of auto	M-2	2	m
3928(a)	Unauthorized use of auto (disaster)	F-2	8	2
3929(a)(1)	Retail theft-take merchandise (>\$1,000/or firearm/motor vehicle)	F-3	5	1
3929(a)(1)	Retail theft-take merchandise (1st/2nd off & >=\$150)	M-1	2	m
3929(a)(1)	Retail theft-take merchandise (2nd off & <\$150)	M-2	2	m
3929(a)(1)	Retail theft-take merchandise (3rd/subsq off)	F-3	3	1
3929(a)(1)	Retail theft-take merchandise (disaster)	F-2	8	2
3929(a)(2)	Retail theft-alter price (>\$1,000/or firearm/motor vehicle)	F-3	5	1
3929(a)(2)	Retail theft-alter price (1st/2nd off & >=\$150)	M-1	2	m
3929(a)(2)	Retail theft-alter price (2nd off & <\$150)	M-2	2	m
3929(a)(2)	Retail theft-alter price (3rd/subsq off)	F-3	3	1
3929(a)(2)	Retail theft-alter price (disaster)	F-2	8	2
3929(a)(3)	Retail theft-transfer container (>\$1,000/or firearm/motor vehicle)	F-3	5	1
3929(a)(3)	Retail theft-transfer container (1st/2nd off & >=\$150)	M-1	2	m

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
3929(a)(3)	Retail theft-transfer container (2nd off & <\$150)	M-2	2	m
3929(a)(3)	Retail theft-transfer container (3rd/subsq off)	F-3	3	1
3929(a)(3)	Retail theft-transfer container (disaster)	F-2	8	2
3929(a)(4)	Retail theft-under-rings (>\$1,000/or firearm/motor vehicle)	F-3	5	1
3929(a)(4)	Retail theft-under-rings (1st/2nd off & >=\$150)	M-1	2	m
3929(a)(4)	Retail theft-under-rings (2nd off & <\$150)	M-2	2	m
3929(a)(4)	Retail theft-under-rings (3rd/subsq off)	F-3	3	1
3929(a)(4)	Retail theft-under-rings (disaster)	F-2	8	2
3929(a)(5)	Retail theft-tamper w/ inventory tag (>\$1,000/or firearm/motor vehicle)	F-3	5	1
3929(a)(5)	Retail theft-tamper w/ inventory tag (1st/2nd off & >=\$150)	M-1	2	m
3929(a)(5)	Retail theft-tamper w/ inventory tag (2nd off & <\$150)	M-2	2	m
3929(a)(5)	Retail theft-tamper w/ inventory tag (3rd/subsq off)	F-3	3	1
3929(a)(5)	Retail theft-tamper w/ inventory tag (disaster)	F-2	8	2
3929.1(a)	Library Theft (1st/2nd off & >=\$150)	M-1	3	m
3929.1(a)	Library Theft (2nd off & <\$150)	M-2	2	m
3929.1(a)	Library Theft (3rd/Subsq off)	F-3	5	1
3929.2(a)	Unlawful possession-retail/library theft instruments	M-1	3	m
3929.3(a)	Organized retail theft (>=\$20,000)	F-2	7	2
3929.3(a)	Organized retail theft (\$5,000-\$19,999)	F-3	6	1
3930(a)(1)	Theft of trade secrets-by force	F-2	7	2
3930(a)(2)	Theft of trade secrets-willful entry of building	F-2	7	2
3930(a)(3)	Theft of trade secrets-willful access of computer	F-2	7	2
3930(b)(1)	Theft of trade secrets-unlawful possession	F-3	5	1
3930(b)(2)	Theft of trade secrets-unlawful conversion to own use	F-3	5	1
3931	Theft of unpublished drama, etc. (>\$2,000)	F-3	5	1
3931	Theft of unpublished drama, etc. (<=\$2,000/from indiv./by threat/breach)	M-1	3	m
3931	Theft of unpublished drama, etc. (\$200-\$2,000/no threat)	M-1	3	m
3931	Theft of unpublished drama, etc. (\$50-<\$200/no threat)	M-2	2	m
3931	Theft of unpublished drama, etc. (<\$50/no threat)	M-3	1	m
3932(a)	Theft of leased property (anhydrous ammonia)	F-2	8	2
3932(a)	Theft of leased property (firearm)	F-2	8	2
3932(a)	Theft of leased property (=>\$500,000)	F-1	8	3
3932(a)	Theft of leased property (\$100,000-<\$500,000)	F-2	7	2
3932(a)*	Theft of leased property (>\$25,000-<\$100,000/or motorized vehicle)	F-3	6	1
3932(a)*	Theft of leased property (>\$2,000-\$25,000)	F-3	5	1
3932(a)	Theft of leased property (<=\$2,000/from indiv./by threat/breach)	M-1	3	m
3932(a)	Theft of leased property (\$200-\$2,000/no threat)	M-1	3	m
3932(a)	Theft of leased property (\$50-<\$200/no threat)	M-2	2	m
3932(a)	Theft of leased property (<\$50/no threat)	M-3	1	m

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
3934(a)	Theft from a motor vehicle (3rd/subsq w/in 5 yrs)	F-3	6	1
3934(a)	Theft from a motor vehicle (>\$200)	M-1	3	m
3934(a)	Theft from a motor vehicle (>=\$50-<\$200)	M-2	2	m
3934(a)	Theft from a motor vehicle (<\$50)	M-3	1	m
3935(a)	Theft of secondary metal-value <\$50 (1st or 2nd offense)	M-3	1	m
3935(a)	Theft of secondary metal-value \$50 to <\$200 (1st or 2nd offense)	M-2	2	m
3935(a)	Theft of secondary metal-value \$200 to <\$1,000 (1st or 2nd offense)	M-1	3	m
3935(a)	Theft of secondary metal-value =>\$1,000 (1st or 2nd offense)	F-3	5	1
3935(a)	Theft of secondary metal (3rd or subsq offense)	F-3	5	1
4101(a)(1)	Forgery-altered writing (money/stocks/govt docs/etc.)	F-2	4	2
4101(a)(1)	Forgery-altered writing (will/deed/other legal doc)	F-3	3	1
4101(a)(1)	Forgery-altered writing (other)	M-1	3	m
4101(a)(2)	Forgery-unauthorized writing (money/stocks/govt docs/etc.)	F-2	4	2
4101(a)(2)	Forgery-unauthorized writing (will/deed/other legal doc)	F-3	3	1
4101(a)(2)	Forgery-unauthorized writing (other)	M-1	3	m
4101(a)(3)	Forgery-utter forged writing (money/stocks/govt docs/etc.)	F-2	4	2
4101(a)(3)	Forgery-utter forged writing (will/deed/other legal doc)	F-3	3	1
4101(a)(3)	Forgery-utter forged writing (other)	M-1	3	m
4102	Simulating objects of antiquity	M-1	3	m
4103	Fraudulent destruction of recordable instruments	F-3	5	1
4104(a)	Tampering w/records or identification	M-1	3	m
4105(a)(1)	Bad checks-issues/passes check (=>\$75,000)	F-3	5	1
4105(a)(1)	Bad checks-issues/passes check (\$1,000-<\$75,000)	M-1	3	m
4105(a)(1)	Bad checks—issues/passes check (\$500-<\$1,000)	M-2	2	m
4105(a)(1)	Bad checks-issues/passes check (\$200-<\$500)	M-3	1	m
4105(a)(1)	Bad checks—issues/passes check (3rd/subsq off & <\$75,000)	M-1	3	m
4105(a)(2)	Bad checks-issues/passes check in Commonwealth (=>\$75,000)	F-3	5	1
4105(a)(2)	Bad checks-issues/passes check in Commonwealth (\$1,000-<\$75,000)	M-1	3	m
4105(a)(2)	Bad checks-issues/passes check in Commonwealth (\$500-<\$1,000)	M-2	2	m
4105(a)(2)	Bad checks-issues/passes check in Commonwealth (\$200-<\$500)	M-3	1	m
4105(a)(2)	Bad checks-issues/passes check in Commonwealth (3rd/subsq off & <\$75,000)	M-1	3	m
4106(a)(1)(i)	Access device fraud-altered/counterfeit device (>=\$500)	F-3	5	1
4106(a)(1)(i)	Access device fraud-altered/counterfeit device (\$50-<\$500)	M-1	4	m
4106(a)(1)(i)	Access device fraud-altered/counterfeit device (<\$50)	M-2	3	m

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

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
4107(a)(3)	Deceptive business practices-take > rep. quantity (\$200-\$2,000 & victim >=60 yrs)	F-3	5	1
4107(a)(3)	Deceptive business practices-take > rep. quantity (<\$200/amt unk & victim >=60 yrs)	M-1	3	m
4107(a)(4)	Deceptive business practices-sell adulterated goods (>\$2,000)	F-3	5	1
4107(a)(4)	Deceptive business practices-sell adulterated goods (\$200-\$2,000)	M-1	3	m
4107(a)(4)	Deceptive business practices-sell adulterated goods (<\$200/amt unk)	M-2	2	m
4107(a)(4)	Deceptive business practices-sell adulterated goods (>\$2,000 & victim >=60 yrs)	F-2	7	2
4107(a)(4)	Deceptive business practices-sell adulterated goods (\$200-\$2,000 & victim >=60 yrs)	F-3	5	1
4107(a)(4)	Deceptive business practices-sell adulterated goods (<\$200/amt unk & victim >=60 yrs)	M-1	3	m
4107(a)(5)	Deceptive business practices-false advertisement (>\$2,000)	F-3	5	1
4107(a)(5)	Deceptive business practices-false advertisement (\$200-\$2,000)	M-1	3	m
4107(a)(5)	Deceptive business practices-false advertisement (<\$200/amt unk)	M-2	2	m
4107(a)(5)	Deceptive business practices-false advertisement (>\$2,000 & victim >=60 yrs)	F-2	7	2
4107(a)(5)	Deceptive business practices-false advertisement (\$200-\$2,000 & victim >=60 yrs)	F-3	5	1
4107(a)(5)	Deceptive business practices-false advertisement (<\$200/amt unk & victim >=60 yrs)	M-1	3	m
4107(a)(6)	Deceptive business practices-false statement to obtain credit (>\$2,000)	F-3	5	1
4107(a)(6)	Deceptive business practices-false statement to obtain credit (\$200-\$2,000)	M-1	3	m
4107(a)(6)	Deceptive business practices-false statement to obtain credit (<\$200/amt unk)	M-2	2	m
4107(a)(6)	Deceptive business practices-false statement to obtain credit (>\$2,000 & victim >=60 yrs)	F-2	7	2
4107(a)(6)	Deceptive business practices-false statement to obtain credit (\$200-\$2,000 & victim >=60 yrs)	F-3	5	1
4107(a)(6)	Deceptive business practices-false statement to obtain credit (<\$200/amt unk & victim >=60 yrs)	M-1	3	m
4107(a)(7)	Deceptive business practices-false statement to sell securities (>\$2,000)	F-3	5	1
4107(a)(7)	Deceptive business practices-false statement to sell securities (\$200-\$2,000)	M-1	3	m
4107(a)(7)	Deceptive business practices-false statement to sell securities (<\$200/amt unk)	M-2	2	m
4107(a)(7)	Deceptive business practices-false statement to sell securities (>\$2,000 & victim >=60 yrs)	F-2	7	2
4107(a)(7)	Deceptive business practices-false statement to sell securities (\$200-\$2,000 & victim >=60 yrs)	F-3	5	1
4107(a)(7)	Deceptive business practices-false statement to sell securities (<\$200/amt unk & victim >=60 yrs)	M-1	3	m
4107(a)(8)	Deceptive business practices-false statement to investor (>\$2,000)	F-3	5	1

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
4107(a)(8)	Deceptive business practices-false statement to investor (\$200-\$2,000)	M-1	3	m
4107(a)(8)	Deceptive business practices-false statement to investor (<\$200/amt unk)	M-2	2	m
4107(a)(8)	Deceptive business practices-false statement to investor (>\$2,000 & victim >=60 yrs)	F-2	7	2
4107(a)(8)	Deceptive business practices-false statement to investor (\$200-\$2,000 & victim >=60 yrs)	F-3	5	1
4107(a)(8)	Deceptive business practices-false statement to investor (<\$200/amt unk & victim >=60 yrs)	M-1	3	m
4107(a)(9)	Deceptive business practices-false statement via phone (>\$2,000)	F-3	5	1
4107(a)(9)	Deceptive business practices-false statement via phone (\$200-\$2,000)	M-1	3	m
4107(a)(9)	Deceptive business practices-false statement via phone (<\$200/amt unk)	M-2	2	m
4107(a)(9)	Deceptive business practices-false statement via phone (>\$2,000 & victim >=60 yrs)	F-2	7	2
4107(a)(9)	Deceptive business practices-false statement via phone (\$200-\$2,000 & victim >=60 yrs)	F-3	5	1
4107(a)(9)	Deceptive business practices-false statement via phone (<\$200/amt unk & victim >=60 yrs)	M-1	3	m
4107.1(a)	Deception relating to kosher food products	M-3	1	m
4107.2(a)(1)	Deception minority/women's business-fraud to obtain certif.	F-3	4	1
4107.2(a)(2)	Deception minority/women's business-false statement to deny certif.	F-3	4	1
4107.2(a)(3)	Deception minority/women's business-obstruct investigation for certif.	F-3	4	1
4107.2(a)(4)	Deception minority/women's business-fraudulent obtain public money	F-3	4	1
4108(a)	Commercial bribery/breach of duty-corrupt employee/agent/fiduciary	M-2	2	m
4108(b)	Commercial bribery/breach of duty-corrupt disinterested person	M-2	2	m
4108(c)	Commercial bribery/breach of duty-solicitation	M-2	2	m
4109(a)(1)	Rigging publicly exhibited contest-confer benefit/threaten injury	M-1	3	m
4109(a)(2)	Rigging publicly exhibited contest-tamper w/ person/animal/thing	M-1	3	m
4109(b)	Rigging publicly exhibited contest-solicit/accept benefit for rigging	M-1	3	m
4109(c)	Rigging publicly exhibited contest-participate in rigged contest	M-1	3	m
4110	Defrauding secured creditors	M-2	2	m
4111	Fraud in Insolvency	M-2	2	m
4111(1)	Fraud in insolvency-destroys/etc. property to obstruct creditor claim	M-2	2	m
4111(2)	Fraud in insolvency-falsify writing/record of property	M-2	2	m
4111(3)	Fraud in insolvency-knowingly misrepresent/refuse to disclose property	M-2	2	m
4112	Receiving deposits in failing financial institution	M-2	2	m
4113(a)	Misapplication of entrusted property (>\$50)	M-2	2	m
4113(a)	Misapplication of entrusted property (<=\$50)	M-3	1	m

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
4114	Securing execution of documents by deception	M-2	2	m
4115	Falsely impersonating persons privately employed	M-2	2	m
4116(b)(1)	Copying; recording devices-knowingly transfer sounds for profit (100+ motion pict./1000+ recordings)	F-3	5	1
4116(b)(1)	Copying; recording devices-knowingly transfer sounds for profit (100+ motion pict./1000+ recordings and 2nd/subsq off)	F-2	7	2
4116(b)(1)	Copying; recording devices-knowingly transfer sounds for profit (any other 1st off)	M-1	3	m
4116(b)(1)	Copying; recording devices-knowingly transfer sounds for profit (any other 2nd/subsq off)	F-3	5	1
4116(b)(2)	Copying; recording devices-manufacture/etc. w/ knowledge of transfer (100+ motion pict./1000+ recordings)	F-3	5	1
4116(b)(2)	Copying; recording devices-manufacture/etc. w/ knowledge of transfer (100+ motion pict./1000+ recordings and 2nd/subsq off)	F-2	7	2
4116(b)(2)	Copying; recording devices-manufacture/etc. w/ knowledge of transfer (any other 1st off)	M-1	3	m
4116(b)(2)	Copying; recording devices-manufacture/etc. w/ knowledge of transfer (any other 2nd/subsq off)	F-3	5	1
4116(d)	Copying; recording devices-sell/rent illegal recording device (100+ motion pict./1000+ recordings)	F-3	5	1
4116(d)	Copying; recording devices-sell/rent illegal recording device (100+ motion pict./1000+ recordings and 2nd/subsq off)	F-2	7	2
4116(d)	Copying; recording devices-sell/rent illegal recording device (any other 1st off)	M-1	3	m
4116(d)	Copying; recording devices-sell/rent illegal recording device (any other 2nd/subsq off)	F-3	5	1
4116(d.1)(1)	Copying; recording devices-sell/rent live recording w/o owner consent (100+ motion pict./1000+ recordings)	F-3	5	1
4116(d.1)(1)	Copying; recording devices-sell/rent live recording w/o owner consent (100+ motion pict./1000+ recordings and 2nd/subsq off)	F-2	7	2
4116(d.1)(1)	Copying; recording devices-sell/rent live recording w/o owner consent (any other 1st off)	M-1	3	m
4116(d.1)(1)	Copying; recording devices-sell/rent live recording w/o owner consent (any other 2nd/subsq off)	F-3	5	1
4116(e)	Copying; recording devices-mfr. name on packaging (100+ motion pict./1000+ recordings)	F-3	5	1
4116(e)	Copying; recording devices-mfr. name on packaging (100+ motion pict./1000+ recordings & 2nd/subsq off)	F-2	7	2
4116(e)	Copying; recording devices-mfr. name on packaging (any other 1st off)	M-1	3	m
4116(e)	Copying; recording devices-mfr. name on packaging (any other 2nd/subsq off)	F-3	5	1
4116.1(a)	Unlawful use of recording device in movie theater (1st off)	M-1	3	m
4116.1(a)	Unlawful use of recording device in movie theater (2nd/subsq off)	F-3	4	1

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
4117(a)(1)	Insurance fraud-false document to gvt. agency for ins. rate	F-3	4	1
4117(a)(2)	Insurance fraud-false insurance claim	F-3	4	1
4117(a)(3)	Insurance fraud-assist/conspire/etc. in false insurance claim	F-3	4	1
4117(a)(4)	Insurance fraud-unlicensed agent activity	F-3	4	1
4117(a)(5)	Insurance fraud-knowingly benefits from proceeds	F-3	4	1
4117(a)(6)	Insurance fraud-health care facility allows insurance fraud	F-3	4	1
4117(a)(7)	Insurance fraud-borrows/uses another's ins. ID w/ intent to defraud	F-3	4	1
4117(a)(8)	Insurance fraud-direct/indirect solicitation for pecuniary gain	F-3	4	1
4117(b)(1)	Insurance fraud-unlawful compensation by attorney	M-1	3	m
4117(b)(2)	Insurance fraud-unlawful compensation by provider	M-1	3	m
4117(b)(3)	Insurance fraud-unlawful compensation for patient referral	M-1	3	m
4117(b)(4)	Insurance fraud-false insurance application	M-1	3	m
4118	Washing vehicle titles	F-3	4	1
4119(a)(1)	Trademark counterfeiting-mfr.	M-1	3	m
4119(a)(1)	Trademark counterfeiting-mfr. (prev conv/>100 items-<1000 items/>\$2,000-<\$10,000 value)	F-3	5	1
4119(a)(1)	Trademark counterfeiting-mfr. (2+ prev conv/mfr. of items/>=1000 items/>\$10,000 value)	F-2	7	2
4119(a)(2)	Trademark counterfeiting-sells	M-1	3	m
4119(a)(2)	Trademark counterfeiting-sells (prev conv/>100 items-<1000 items/>\$2,000-<\$10,000 value)	F-3	5	1
4119(a)(2)	Trademark counterfeiting-sells (2+ prev conv/mfr. of items/>=1000 items/>\$10,000 value)	F-2	7	2
4119(a)(3)	Trademark counterfeiting-offers for sale	M-1	3	m
4119(a)(3)	Trademark counterfeiting-offers for sale (prev conv/>100 items-<1000 items/>\$2,000-<\$10,000 value)	F-3	5	1
4119(a)(3)	Trademark counterfeiting-offers for sale (2+ prev conv/mfr. of items/>=1000 items/>\$10,000 value)	F-2	7	2
4119(a)(4)	Trademark counterfeiting-displays	M-1	3	m
4119(a)(4)	Trademark counterfeiting-displays (prev conv/>100 items-<1000 items/>\$2,000-<\$10,000 value)	F-3	5	1
4119(a)(4)	Trademark counterfeiting-displays (2+ prev conv/mfr. of items/>=1000 items/>\$10,000 value)	F-2	7	2
4119(a)(5)	Trademark counterfeiting-advertises	M-1	3	m
4119(a)(5)	Trademark counterfeiting-advertises (prev conv/>100 items-<1000 items/>\$2,000-<\$10,000 value)	F-3	5	1
4119(a)(5)	Trademark counterfeiting-advertises (2+ prev conv/mfr. of items/>=1000 items/>\$10,000 value)	F-2	7	2
4119(a)(6)	Trademark counterfeiting-distributes	M-1	3	m
4119(a)(6)	Trademark counterfeiting-distributes (prev conv/>100 items-<1000 items/>\$2,000-<\$10,000 value)	F-3	5	1

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
4119(a)(6)	Trademark counterfeiting-distributes (2+ prev conv/mfr. of items/>=1000 items/>\$10,000 value)	F-2	7	2
4119(a)(7)	Trademark counterfeiting-transport	M-1	3	m
4119(a)(7)	Trademark counterfeiting-transport (prev conv/>100 items-<1000 items/>\$2,000-<\$10,000 value)	F-3	5	1
4119(a)(7)	Trademark counterfeiting-transport (2+ prev conv/mfr. of items/>=1000 items/>\$10,000 value)	F-2	7	2
4120(a)	Identity theft (>=\$2,000)	F-3	5	1
4120(a)	Identity theft (<\$2,000)	M-1	3	m
4120(a)	Identity theft (3rd/subsq off)	F-2	7	2
4120(a)	Identity theft (furtherance of conspiracy)	F-3	5	1
4120(a)	Identity theft (>=\$2,000 and victim >=60 yrs/care-dependent)	F-2	7	2
4120(a)	Identity theft (<\$2,000 and victim >=60 yrs/care-dependent)	F-3	5	1
4120(a)	Identity theft (3rd/subsq off and victim >=60 yrs/care-dependent)	F-1	8	3
4120(a)	Identity theft (furtherance of conspiracy and victim >=60 yrs/care-dependent)	F-2	7	2
4120(a)	Identity theft (<\$2,000 and victim <18 yrs)	F-3	5	1
4120(a)	Identity theft (>=\$2,000 and victim <18 yrs)	F-2	7	2
4120(a)	Identity theft (3rd/subsq off and victim <18 yrs)	F-1	8	3
4120(a)	Identity theft (furtherance of conspiracy and victim <18 yrs)	F-2	7	2
4301(a)	Bigamy (by married person)	M-2	3	m
4301(b)	Bigamy (knowing other person committing bigamy)	M-2	3	m
4302(a)	Incest (victim >18 yrs.)	F-2	9	4
4302(b)(1)	Incest-of a minor (victim <13 yrs.)	F-2	9	4
4302(b)(2)	Incest-of a minor (victim 13-18 yrs. and offender at least 4 yrs. older)	F-2	9	4
4303(a)	Concealing death of child	M-1	3	m
4304(a)(1)	Endangering welfare of children-violate duty of care	M-1	5	1
4304(a)(1)	Endangering welfare of children-violate duty of care (course of conduct)	F-3	6	1
4304(a)(2)	Endangering welfare of children-official prevents/interferes w/ reporting	M-1	5	1
4304(a)(2)	Endangering welfare of children-official prevents/interferes w/ reporting (course of conduct)	F-3	6	1
4305	Dealing in infant children	M-1	4	1
4701(a)(1)	Bribery in official & political matters-pecuniary benefit as public servant	F-3	5	1
4701(a)(2)	Bribery in official & political matters-benefit for judicial/admin./legis. proceedings	F-3	5	1
4701(a)(3)	Bribery in official & political matters-benefit for legal duty as public servant	F-3	5	1
4702(a)(1)	Threats-to influence decision as public servant	M-2	2	m
4702(a)(1)	Threats-to influence decision as public servant (threat to commit crime)	F-3	5	1
4702(a)(2)	Threats-to influence decision in judicial/admin. proceedings	M-2	2	m

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
4702(a)(2)	Threats-to influence decision in judicial/admin. proceedings (threat to commit crime)	F-3	5	1
4702(a)(3)	Threats-harm for legal duty as public servant	M-2	2	m
4702(a)(3)	Threats-harm for legal duty as public servant (threat to commit crime)	F-3	5	1
4703	Retaliation for past official action	M-2	2	m
4902(a)	Perjury	F-3	5	1
4903(a)(1)	False swearing in official matters-in official proceeding	M-2	2	m
4903(a)(2)	False swearing in official matters-to mislead public servant	M-2	2	m
4903(b)	False swearing-statement required to be sworn	M-3	1	m
4904(a)(1)	Unsworn falsification to authorities-written statement	M-2	2	m
4904(a)(2)	Unsworn falsification to authorities-relies on false writing	M-2	2	m
4904(a)(3)	Unsworn falsification to authorities-relies on false specimen/map/boundary, etc.	M-2	2	m
4904(b)	Unsworn falsification to authorities-statement under penalty	M-3	1	m
4905(a)	False alarms to agency of public safety	M-1	3	m
4905(a)	False alarms to agency of public safety (state of emergency)	F-3	5	1
4906(a)	False reports-falsely incriminate another	M-2	2	m
4906(a)	False reports-falsely incriminate another (report of theft/loss of firearm)	M-1	3	m
4906(a)	False reports-falsely incriminate another (state of emergency)	M-1	3	m
4906(b)(1)	False reports-fictitious report to law enforcement	M-3	1	m
4906(b)(1)	False reports-fictitious report to law enforcement (report of theft/loss of firearm)	M-2	2	m
4906(b)(1)	False reports-fictitious report to law enforcement (state of emergency)	M-2	2	m
4906(b)(2)	False Reports-fictitious report of information	M-3	1	m
4906(b)(2)	False Reports-fictitious report of information (report of theft/loss of firearm)	M-2	2	m
4906(b)(2)	False Reports-fictitious report of information (state of emergency)	M-2	2	m
4906.1	False reports of child abuse	M-2	2	m
4909	Witness or informant taking bribe	F-3	5	1
4910(1)	Tampering w/ physical evidence-intent to impair availability	M-2	2	m
4910(2)	Tampering w/ physical evidence-false record etc.	M-2	2	m
4911(a)(1)	Tampering w/ public records-false entry/govt. doc	M-2	2	m
4911(a)(1)	Tampering w/ public records-false entry/govt. doc. (to defraud)	F-3	4	1
4911(a)(2)	Tampering w/ public records-presenting false document	M-2	2	m
4911(a)(2)	Tampering w/ public records-presenting false document (to defraud)	F-3	4	1
4911(a)(3)	Tampering w/ public records-intent to impair doc. availability	M-2	2	m
4911(a)(3)	Tampering w/ public records-intent to impair doc. availability (to defraud)	F-3	4	1

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
4912	Impersonating a public servant	M-2	2	m
4913(a)	Impersonating a notary public	M-2	2	m
4913(a)	Impersonating a notary public (intent to harm/defraud)	M-1	3	m
4913(a)	Impersonating a doctor of medicine (provides medical advice or treatment)	M-1	[omnibus] 3	m
4914(a)	False identification to law enforcement authorities	M-3	1	m
4915.1(a)(1)	Fail to register with PSP-15 yr. registration (1st off)	F-3	6	1
4915.1(a)(1)	Fail to register with PSP-15 yr. registration (2nd/subsq off)	F-2	8	2
4915.1(a)(1)	Fail to register with PSP-25 yr. registration (1st off)	F-2	8	2
4915.1(a)(1)	Fail to register with PSP-25 yr. registration (2nd/subsq off)	F-1	10	3
4915.1(a)(1)	Fail to register with PSP-lifetime registration (1st off)	F-2	8	2
4915.1(a)(1)	Fail to register with PSP-lifetime registration (2nd/subsq off)	F-1	10	3
4915.1(a)(2)	Fail to verify address/be photo'd-15 yr. registration (1st off)	F-3	6	1
4915.1(a)(2)	Fail to verify address/be photo'd-15 yr. registration (2nd/subsq off)	F-2	8	2
4915.1(a)(2)	Fail to verify address/be photo'd-25 yr. registration (1st off)	F-2	8	2
4915.1(a)(2)	Fail to verify address/be photo'd-25 yr. registration (2nd/subsq off)	F-1	10	3
4915.1(a)(2)	Fail to verify address/be photo'd-lifetime registration (1st off)	F-2	8	2
4915.1(a)(2)	Fail to verify address/be photo'd-lifetime registration (2nd/subsq off)	F-1	10	3
4915.1(a)(3)	Fail to provide accurate information-15 yr. registration	F-2	8	2
4915.1(a)(3)	Fail to provide accurate information-25 yr. registration	F-1	10	3
4915.1(a)(3)	Fail to provide accurate information-lifetime registration	F-1	10	3
4915.1(a.1)(1)	Fail to register with PSP: transient-15 yr. registration (1st off)	F-3	6	1
4915.1(a.1)(1)	Fail to register with PSP: transient-15 yr. registration (2nd/subsq off)	F-2	8	2
4915.1(a.1)(1)	Fail to register with PSP: transient-25 yr. registration (1st off)	F-2	8	2
4915.1(a.1)(1)	Fail to register with PSP: transient-25 yr. registration (2nd/subsq off)	F-1	10	3
4915.1(a.1)(1)	Fail to register with PSP: transient-lifetime registration (1st off)	F-2	8	2
4915.1(a.1)(1)	Fail to register with PSP: transient-lifetime registration (2nd/subsq off)	F-1	10	3
4915.1(a.1)(2)	Fail to verify address/be photo'd: transient-15 yr. registration (1st off)	F-3	6	1
4915.1(a.1)(2)	Fail to verify address/be photo'd: transient-15 yr. registration (2nd/subsq off)	F-2	8	2

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
4915.1(a.1)(2)	Fail to verify address/be photo'd: transient-25 yr. registration (1st off)	F-2	8	2
4915.1(a.1)(2)	Fail to verify address/be photo'd: transient-25 yr. registration (2nd/subsq off)	F-1	10	3
4915.1(a.1)(2)	Fail to verify address/be photo'd: transient-lifetime registration (1st off)	F-2	8	2
4915.1(a.1)(2)	Fail to verify address/be photo'd: transient-lifetime registration (2nd/subsq off)	F-1	10	3
4915.1(a.1)(3)	Fail to provide accurate info.: transient-15 yr. registration	F-2	8	2
4915.1(a.1)(3)	Fail to provide accurate info.: transient-25 yr. registration	F-1	10	3
4915.1(a.1)(3)	Fail to provide accurate info.: transient-lifetime registration	F-1	10	3
4915.1(a.2)(1)	Fail to comply w/ SVP outpatient review/counseling	M-1	5	m
4915.1(a.2)(2)	Fail to comply w/ counseling req. from other jurisdiction	M-1	5	m
4952(a)(1)	Intimidation of witness/victim-refrain from reporting (listed factor & F-1/Murder 1 or 2)	F-1	11	4
4952(a)(1)	Intimidation of witness/victim-refrain from reporting (listed factor & F-2)	F-2	9	2
4952(a)(1)	Intimidation of witness/victim-refrain from reporting (listed factor)	F-3	7	1
4952(a)(1)	Intimidation of witness/victim-refrain from reporting (general)	M-2	5	m
4952(a)(2)	Intimidation of witness/victim-false/misleading info. (listed factor & F-1/Murder 1 or 2)	F-1	11	4
4952(a)(2)	Intimidation of witness/victim-false/misleading info. (listed factor & F-2)	F-2	9	2
4952(a)(2)	Intimidation of witness/victim-false/misleading info. (listed factor)	F-3	7	1
4952(a)(2)	Intimidation of witness/victim-false/misleading info. (general)	M-2	5	m
4952(a)(3)	Intimidation of witness/victim-Withhold Information, (listed factor & F-1/Murder 1 or 2)	F-1	11	4
4952(a)(3)	Intimidation of witness/victim-withhold info. (listed factor & F-2)	F-2	9	2
4952(a)(3)	Intimidation of witness/victim-withhold info. (listed factor)	F-3	7	1
4952(a)(3)	Intimidation of witness/victim-withhold info. (general)	M-2	5	m
4952(a)(4)	Intimidation of witness/victim-false info/refuse testimony (listed factor & F-1/Murder 1 or 2)	F-1	11	4
4952(a)(4)	Intimidation of witness/victim-false info/refuse testimony (listed factor & F-2)	F-2	9	2
4952(a)(4)	Intimidation of witness/victim-false info/refuse testimony (listed factor)	F-3	7	1
4952(a)(4)	Intimidation of witness/victim-false info/refuse testimony (general)	M-2	5	m
4952(a)(5)	Intimidation of witness/victim-evade/ignore summons (listed factor & F-1/Murder 1 or 2)	F-1	11	4
4952(a)(5)	Intimidation of witness/victim-evade/ignore summons (listed factor & F-2)	F-2	9	2

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
4952(a)(5)	Intimidation of witness/victim-evade/ignore summons (listed factor)	F-3	7	1
4952(a)(5)	Intimidation of witness/victim-evade/ignore summons (general)	M-2	5	m
4952(a)(6)	Intimidation of witness/victim-absent from proceeding, (listed factor & F-1/Murder 1 or 2)	F-1	11	4
4952(a)(6)	Intimidation of witness/victim-absent from proceeding (listed factor & F-2)	F-2	9	2
4952(a)(6)	Intimidation of witness/victim-absent from proceeding (listed factor)	F-3	7	1
4952(a)(6)	Intimidation of witness/victim-absent from proceeding (general)	M-2	5	m
4953(a)	Retaliation against witness/victim-listed factor	F-3	8	1
4953(a)	Retaliation against witness/victim-general	M-2	5	m
4953.1(a)	Retaliation against prosecutor/judicial official-listed factor	F-2	9	2
4953.1(a)	Retaliation against prosecutor/judicial official-general	M-1	6	m
4958(a)(1)	Intimidation child abuse case-knowledge/intent to impede, etc.	M-2	5	m
4958(a)(1)	Intimidation child abuse case-knowledge/intent to impede, etc. (force, etc.)	F-2	7	2
4958(a)(1)	Intimidation child abuse case-knowledge/intent to impede, etc. (benefit)	F-2	7	2
4958(a)(1)	Intimidation child abuse case-knowledge/intent to impede, etc. (furtherance consp)	F-2	7	2
4958(a)(1)	Intimidation child abuse case-knowledge/intent to impede, etc. (other person)	F-2	7	2
4958(a)(1)	Intimidation child abuse case-knowledge/intent to impede, etc. (prior conv)	F-2	7	2
4958(a)(2)(i)	Intimidation child abuse cases-intimidate/attempt refrain from/cause not report	M-2	5	m
4958(a)(2)(i)	Intimidation child abuse cases-intimidate/attempt refrain from/cause not report (force, etc.)	F-2	7	2
4958(a)(2)(i)	Intimidation child abuse cases-intimidate/attempt refrain from/cause not report (benefit)	F-2	7	2
4958(a)(2)(i)	Intimidation child abuse cases-intimidate/attempt refrain from/cause not report (furtherance consp)	F-2	7	2
4958(a)(2)(i)	Intimidation child abuse cases-intimidate/attempt refrain from/cause not report (other person)	F-2	7	2
4958(a)(2)(i)	Intimidation child abuse cases-intimidate/attempt refrain from/cause not report (prior conv)	F-2	7	2
4958(a)(2)(ii)	Intimidation child abuse cases-intimidate/attempt withhold information	M-2	5	m
4958(a)(2)(ii)	Intimidation child abuse cases-intimidate/attempt withhold information (force, etc.)	F-2	7	2
4958(a)(2)(ii)	Intimidation child abuse cases-intimidate/attempt withhold information (benefit)	F-2	7	2
4958(a)(2)(ii)	Intimidation child abuse cases-intimidate/attempt withhold information (furtherance consp)	F-2	7	2
4958(a)(2)(ii)	Intimidation child abuse cases-intimidate/attempt withhold information (other person)	F-2	7	2

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
4958(a)(2)(ii)	Intimidation child abuse cases-intimidate/ attempt withhold information (prior conv)	F-2	7	2
4958(a)(2)(iii)	Intimidation child abuse cases-intimidate/ attempt false/misleading information	M-2	5	m
4958(a)(2)(iii)	Intimidation child abuse cases-intimidate/ attempt false/misleading information (force, etc.)	F-2	7	2
4958(a)(2)(iii)	Intimidation child abuse cases-intimidate/ attempt false/misleading information (benefit)	F-2	7	2
4958(a)(2)(iii)	Intimidation child abuse cases-intimidate/ attempt false/misleading information (furtherance consp)	F-2	7	2
4958(a)(2)(iii)	Intimidation child abuse cases-intimidate/ attempt false/misleading information (other person)	F-2	7	2
4958(a)(2)(iii)	Intimidation child abuse cases-intimidate/ attempt false/misleading information (prior conv)	F-2	7	2
4958(a)(2)(iv)	Intimidation child abuse cases-intimidate/ attempt evade etc. request/legal process	M-2	5	m
4958(a)(2)(iv)	Intimidation child abuse cases-intimidate/ attempt evade etc. request/legal process (force)	F-2	7	2
4958(a)(2)(iv)	Intimidation child abuse cases-intimidate/ attempt evade etc. request/legal process (benefit)	F-2	7	2
4958(a)(2)(iv)	Intimidation child abuse cases-intimidate/ attempt evade etc. request/legal process (furtherance consp)	F-2	7	2
4958(a)(2)(iv)	Intimidation child abuse cases-intimidate/ attempt evade etc. request/legal process (other person)	F-2	7	2
4958(a)(2)(iv)	Intimidation child abuse cases-intimidate/ attempt evade etc. request/legal process (prior conv)	F-2	7	2
4958(a)(2)(v)	Intimidation child abuse cases-intimidate/ attempt fail appear/participate legal process	M-2	5	m
4958(a)(2)(v)	Intimidation child abuse cases-intimidate/ attempt fail appear/participate legal process (force)	F-2	7	2
4958(a)(2)(v)	Intimidation child abuse cases-intimidate/ attempt fail appear/participate legal process (benefit)	F-2	7	2
4958(a)(2)(v)	Intimidation child abuse cases-intimidate/ attempt fail appear/participate legal process (furtherance consp)	F-2	7	2
4958(a)(2)(v)	Intimidation child abuse cases-intimidate/ attempt fail appear/participate legal process (other person)	F-2	7	2
4958(a)(2)(v)	Intimidation child abuse cases-intimidate/ attempt fail appear/participate legal process (prior conv)	F-2	7	2
4958(b)	Retaliation child abuse cases	M-2	5	m
4958(b)	Retaliation child abuse cases (force)	F-2	8	2
4958(b)	Retaliation child abuse cases (benefit)	F-2	8	2
4958(b)	Retaliation child abuse cases (furtherance consp)	F-2	8	2
4958(b)	Retaliation child abuse cases (other person)	F-2	8	2
4958(b)	Retaliation child abuse cases (prior conv)	F-2	8	2
4958(b.1)	Obstruction child abuse cases	M-2	5	m
4958(b.1)	Obstruction child abuse cases (force)	F-2	7	2

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
4958(b.1)	Obstruction child abuse cases (benefit)	F-2	7	2
4958(b.1)	Obstruction child abuse cases (furtherance consp)	F-2	7	2
4958(b.1)	Obstruction child abuse cases (other person)	F-2	7	2
4958(b.1)	Obstruction child abuse cases (prior conv)	F-2	7	2
5101	Obstructing admin. of law/other govt. function	M-2	3	m
5102(a)	Obstructing/impeding justice by picketing	M-2	2	m
5103	Unlawfully listening into deliberations of jury	M-3	1	m
5104	Resisting arrest, etc.	M-2	2	m
5104.1(a)	Disarming law enforcement officer	F-3	5	1
5105(a)(1)	Hindering apprehension-harbors/conceals	M-2	2	m
5105(a)(1)	Hindering apprehension-harbors/conceals (charge is F1/F2)	F-3	4	1
5105(a)(2)	Hindering apprehension-provides aid to avoid apprehension	M-2	2	m
5105(a)(2)	Hindering apprehension-provides aid to avoid apprehension (charge is F1/F2)	F-3	4	1
5105(a)(3)	Hindering apprehension-conceal/destroy evidence	M-2	2	m
5105(a)(3)	Hindering apprehension-conceal/destroy evidence (charge is F1/F2)	F-3	4	1
5105(a)(4)	Hindering apprehension-warn of apprehension	M-2	2	m
5105(a)(4)	Hindering apprehension-warn of apprehension (charge is F1/F2)	F-3	4	1
5105(a)(5)	Hindering apprehension-false info. to law enforcement ofc.	M-2	2	m
5105(a)(5)	Hindering apprehension-false info. to law enforcement ofc. (charge is F1/F2)	F-3	4	1
5107(a)	Aiding consummation of crime	M-2	2	m
5107(a)	Aiding consummation of crime (principal off is F1/F2)	F-3	5	1
5108(a)	Compounding	M-2	2	m
5109	Barratry-vex with unjust/vexatious suits	M-3	1	m
5110	Contempt of General Assembly	M-3	1	m
5111(a)(1)	Dealing in proceeds of unlawful activities-intent to promote act	F-1	8	3
5111(a)(2)	Dealing in proceeds of unlawful activities-designed to conceal proceeds	F-1	8	3
5111(a)(3)	Dealing in proceeds of unlawful activities-avoid transaction report req.	F-1	8	3
5112(a)	Obstructing emergency services	M-3	1	m
5121(a)	Permitting/facilitating escape	M-2	3	m
5121(a)	Escape	M-2	3	m
5121(a)*	Escape (from: halfway house, pre-release ctr., treatment ctr., work-release ctr., work-release, or failure to return from an authorized leave/furlough)	F-3	5	1
5121(a)*	Escape (all other specified escapes)	F-3	6	1
5121(a)*	Permitting/facilitating escape (from: halfway house, pre-release ctr., treatment ctr., work-release ctr., work-release, or failure to return from an authorized leave/furlough)	F-3	5	1
5121(a)*	Permitting/facilitating escape (all other specified escapes)	F-3	6	1

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
5122(a)(1)	Weapons/implements for escape-provide to inmate	M-1	8	m
5122(a)(2)	Weapons/implements for escape-possession by inmate	M-1	4	m
5123(a)	Contraband-provide controlled substance to inmate	F-2	7	2
5123(a.2)	Contraband-possession of controlled substance by inmate	F-2	7	2
5123(b)	Contraband-provide money to inmate	M-3	1	m
5123(c)	Contraband-provide other contraband to inmate	M-1	3	m
5123(c.1)	Contraband-provide telecom. device to inmate	M-1	5	m
5123(c.2)	Contraband-possession of telecom. device by inmate	M-1	3	m
5124(a)	Default in required appearance (felony)	F-3	4	1
5124(a)	Default in required appearance (non-felony)	M-2	2	m
5125	Absconding witness	M-3	1	m
5126(a)	Flight to avoid apprehension (felony)	F-3	5	1
5126(a)	Flight to avoid apprehension (misd.)	M-2	2	m
5131(a)(1)	Recruiting criminal gang member-solicit/cause/attempt cause (recruitee >=16 yrs)	M-2	2	m
5131(a)(1)	Recruiting criminal gang member-solicit/cause/attempt cause (recruitee <16 yrs)	M-1	3	1
5131(a)(2)	Recruiting criminal gang member-inflict BI/physical menace/force (recruitee >=16 yrs)	M-1	3	1
5131(a)(2)	Recruiting criminal gang member-inflict BI/physical menace/force (recruitee <16 yrs)	F-3	5	1
5131(a)(3)	Recruiting criminal gang member-inflict SBI (recruitee >=16 yrs)	F-3	5	1
5131(a)(3)	Recruiting criminal gang member-inflict SBI (recruitee <16 yrs)	F-2	7	2
5301(1)	Official oppression-subjects another to arrest, etc.	M-2	2	m
5301(2)	Official oppression-denies another enjoyment of rights	M-2	2	m
5302(1)	Speculating/wagering on official action-acquires pecuniary interest	M-2	2	m
5302(2)	Speculating/wagering on official action-speculates on information	M-2	2	m
5302(3)	Speculating/wagering on official action-aids another	M-2	2	m
5501(1)	Riot-intent to commit felony/misd.	F-3	4	1
5501(2)	Riot-intent to prevent/coerce official action	F-3	4	1
5501(3)	Riot-actor/other plans to use deadly weapon	F-3	4	1
5502	Failure to disperse upon official order	M-2	2	m
5503(a)(1)	Disorderly conduct-frightening/threatening behavior (substantial harm/persist after warning)	M-3	1	m
5503(a)(2)	Disorderly conduct-unreasonable noise (substantial harm/persist after warning)	M-3	1	m
5503(a)(3)	Disorderly conduct-obscene language (substantial harm/persist after warning)	M-3	1	m
5503(a)(4)	Disorderly conduct-hazardous condition (substantial harm/persist after warning)	M-3	1	m
5506	Loitering and prowling at night time	M-3	1	m

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
5507(a)	Obstructing highway, etc.-after warning	M-3	1	m
5508	Disrupting meetings and processions	M-3	1	m
5509(a)(1)	Desecration of venerated objects-intentional (public monument, etc.)	M-2	2	m
5509(a)(2)	Desecration of venerated objects-intentional (object of veneration)	M-2	2	m
5509(a)(3)	Desecration of venerated objects-sell veteran's marker	M-2	2	m
5509(a.1)	Desecration of venerated objects-historic burial lots	M-1	3	m
5510	Abuse of corpse	M-2	3	m
5511(a)(1)	Cruelty to animals-own dog that injures service dog	M-3	1	m
5511(a)(1)(i)	Cruelty to animals-kill/maim domestic animal	M-2	3	m
5511(a)(1)(ii)	Cruelty to animals-poisons domestic animal	M-2	3	m
5511(a)(1)(iii)	Cruelty to animals-harasses/injure etc. service/guide dog	M-2	3	m
5511(a)(2)(i)	Cruelty to animals-kill/maim zoo animal	F-3	5	1
5511(a)(2)(ii)	Cruelty to animals-poison zoo animal	F-3	5	1
5511(a)(2.1)(i)(a)	Cruelty to animals-kill/maim dog/cat/service dog (1st off)	M-1	3	m
5511(a)(2.1)(i)(a)	Cruelty to animals-kill/maim dog/cat/service dog (2nd/subsq off)	F-3	5	1
5511(a)(2.1)(i)(b)	Cruelty to animals-poison dog/cat (1st off)	M-1	3	m
5511(a)(2.1)(i)(b)	Cruelty to animals-poison dog/cat (2nd/subsq off)	F-3	5	1
5511(c)(1)	Cruelty to animals-neglect/mistreat animal in care (2nd/subsq off)	M-3	1	m
5511(e.1)	Cruelty to animals-transport equines in cruel manner (2nd/subsq off)	M-3	1	m
5511(h.1)(1)	Cruelty to animals-animal fighting (for amusement/gain)	F-3	5	1
5511(h.1)(2)	Cruelty to animals-animal fighting (receives compensation)	F-3	5	1
5511(h.1)(3)	Cruelty to animals-animal fighting (owns fighting animal)	F-3	5	1
5511(h.1)(4)	Cruelty to animals-animal fighting (encourage/aid/assist)	F-3	5	1
5511(h.1)(5)	Cruelty to animals-animal fighting (wagers on fight outcome)	F-3	5	1
5511(h.1)(6)	Cruelty to animals-animal fighting (pays admission)	F-3	5	1
5511(h.1)(7)	Cruelty to animals-animal fighting (permits use of animal for fight)	F-3	5	1
5511(h.2)	Cruelty to animals-possess animal fighting paraphernalia	M-3	[omnibus] 1	m
5511.2(a)	Police animals-illegal to taunt	F-3	5	1
5511.2(b)	Police animals-illegal to torture	F-2	7	2
5511.3	Assault w/ biological agent on animal/fowl/honey bee	F-2	7	2
5512(b)(1)	Lotteries-set up unlawful game	M-1	3	m
5512(b)(2)	Lotteries-manuf./etc. unlawful tickets	M-1	3	m
5512(b)(3)	Lotteries-publish advertisement	M-1	3	m
5513(a)(1)	Gambling devices-intentionally makes gambling device	M-1	3	m

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
5513(a)(2)	Gambling devices-allows assemble for gambling	M-1	3	m
5513(a)(3)	Gambling devices-solicits/invites person for gambling	M-1	3	m
5513(a)(4)	Gambling devices-allows gambling on premises	M-1	3	m
5513(a.1)(1)	Gambling devices-electronic video monitor: indirect or direct consideration	M-1	3	m
5513(a.1)(2)	Gambling devices-electronic video monitor: player eligible for prize	M-1	3	m
5514(1)	Pool selling and bookmaking-engage in	M-1	3	m
5514(2)	Pool selling and bookmaking-occupy place	M-1	3	m
5514(3)	Pool selling and bookmaking-receives bet on political outcome	M-1	3	m
5514(4)	Pool selling and bookmaking-custodian of property wagered (for gain)	M-1	3	m
5514(5)	Pool selling and bookmaking-knowingly permit premises to be used	M-1	3	m
5515(b)(1)	Prohibiting of paramilitary training-teaching	M-1	3	m
5515(b)(2)	Prohibiting of paramilitary training-assembles for training	M-1	3	m
5516(a)(1)	Facsimile weapons of mass destruction-terrifying/etc. individual	F-3	5	1
5516(a)(2)(i)	Facsimile weapons of mass destruction-reaction of org. wh/deals w/emergency	F-3	5	1
5516(a)(2)(ii)	Facsimile weapons of mass destruction-reaction of law enforcement agency	F-3	5	1
5516(a)(3)	Facsimile weapons of mass destruction-serious public inconvenience	F-3	5	1
5517(a)	Unauthorized school bus entry	M-3	1	m
5703	Interception of wire/oral communication	F-3	5	1
5703(1)	Interception of wire/oral communication-intentionally intercepts	F-3	5	1
5703(2)	Interception of wire/oral communication-discloses contents	F-3	5	1
5703(3)	Interception of wire/oral communication-use contents	F-3	5	1
5705(1)	Possess/etc. of interception devices-intentionally possess/etc.	F-3	5	1
5705(2)	Possess/etc. of interception devices-intentionally sells/etc.	F-3	5	1
5705(3)	Possess/etc. of interception devices-intentionally manufactures/etc.	F-3	5	1
5705(4)	Possess/etc. of interception devices-intentionally advertises/etc.	F-3	5	1
5719	Unlawful use of order concerning intercepted communications	M-2	2	m
5741(a)(1)	Unlawf. access stored communications-access w/o authority-for gain (1st off)	M-3	1	m
5741(a)(1)	Unlawf. access stored communications-access w/o authority-for gain (2nd/subsq off)	M-2	2	m
5741(a)(2)	Unlawf. access stored communications-exceed authorization-for gain (1st off)	M-3	1	m
5741(a)(2)	Unlawf. access stored communications-exceed authorization-for gain (2nd/subsq off)	M-2	2	m
5771(a)	Prohibit pen register & trap/trace device	M-3	1	m

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
5901	Open lewdness	M-3	1	m
5902(a)(1)	Prostitution-business (1st/2nd off)	M-3	1	m
5902(a)(1)	Prostitution-business (3rd off)	M-2	3	m
5902(a)(1)	Prostitution-business (4th/subsq off)	M-1	4	m
5902(a)(1)	Prostitution-business (HIV positive/AIDS)	F-3	7	1
5902(a)(2)	Prostitution (1st/2nd off)	M-3	1	m
5902(a)(2)	Prostitution (3rd off)	M-2	3	m
5902(a)(2)	Prostitution (4th/subsq off)	M-1	4	m
5902(a)(2)	Prostitution (HIV positive/AIDS)	F-3	7	1
5902(b)(1)	Promoting prostitution-own house/business	F-3	5	1
5902(b)(2)	Promoting prostitution-procure prostitute for house	F-3	5	1
5902(b)(3)	Promoting prostitution-encourage prostitution	F-3	5	1
5902(b)(4)	Promoting prostitution-solicit patron	M-2	3	m
5902(b)(4)	Promoting prostitution-solicit patron (compel)	F-3	5	1
5902(b)(4)	Promoting prostitution-solicit patron (HIV positive/AIDS)	F-3	5	1
5902(b)(4)	Promoting prostitution-solicit patron (spouse/child/ward)	F-3	5	1
5902(b)(5)	Promoting prostitution-procure prostitute	M-2	3	m
5902(b)(5)	Promoting prostitution-procure prostitute (compel)	F-3	5	1
5902(b)(5)	Promoting prostitution-procure prostitute (HIV positive/AIDS)	F-3	5	1
5902(b)(5)	Promoting prostitution-procure prostitute (spouse/child/ward)	F-3	5	1
5902(b)(6)	Promoting prostitution-transport prostitute	M-2	3	m
5902(b)(6)	Promoting prostitution-transport prostitute (compel)	F-3	5	1
5902(b)(6)	Promoting prostitution-transport prostitute (HIV positive/AIDS)	F-3	5	1
5902(b)(6)	Promoting prostitution-transport prostitute (spouse/child/ward)	F-3	5	1
5902(b)(7)	Promoting prostitution-provide place for prostitution	M-2	3	m
5902(b)(7)	Promoting prostitution-provide place for prostitution (compel)	F-3	5	1
5902(b)(7)	Promoting prostitution-provide place for prostitution (HIV positive/AIDS)	F-3	5	1
5902(b)(7)	Promoting prostitution-provide place for prostitution (spouse/child/ward)	F-3	5	1
5902(b)(8)	Promoting prostitution-receive benefit	M-2	3	m
5902(b)(8)	Promoting prostitution-receive benefit (compel)	F-3	5	1
5902(b)(8)	Promoting prostitution-receive benefit (HIV positive/AIDS)	F-3	5	1
5902(b)(8)	Promoting prostitution-receive benefit (spouse/child/ward)	F-3	5	1
5902(b.1)(1)*	Promoting prostitution of minor-business (16-<18 yrs)	F-3	6	1
5902(b.1)(1)*	Promoting prostitution of minor-business (<16 yrs)	F-3	8	1
5902(b.1)(2)*	Promoting prostitution of minor-procure (16-<18 yrs)	F-3	6	1

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
5902(b.1)(2)*	Promoting prostitution of minor-procure (<16 yrs)	F-3	8	1
5902(b.1)(3)*	Promoting prostitution of minor-induce (16-<18 yrs)	F-3	6	1
5902(b.1)(3)*	Promoting prostitution of minor-induce (<16 yrs)	F-3	8	1
5902(b.1)(4)*	Promoting prostitution of minor-solicit minor to patronize (16-<18 yrs)	F-3	6	1
5902(b.1)(4)*	Promoting prostitution of minor-solicit minor to patronize (<16 yrs)	F-3	8	1
5902(b.1)(5)*	Promoting prostitution of minor-procure minor prostitute for patron (16-<18 yrs)	F-3	6	1
5902(b.1)(5)*	Promoting prostitution of minor-procure minor prostitute for patron (<16 yrs)	F-3	8	1
5902(b.1)(6)*	Promoting prostitution of minor-transport minor for prostitution (16-<18 yrs)	F-3	6	1
5902(b.1)(6)*	Promoting prostitution of minor-transport minor for prostitution (<16 yrs)	F-3	8	1
5902(b.1)(7)*	Promoting prostitution of minor-provide place for prostitution (16-<18 yrs)	F-3	6	1
5902(b.1)(7)*	Promoting prostitution of minor-provide place for prostitution (<16 yrs)	F-3	8	1
5902(b.1)(8)*	Promoting prostitution of minor-receive benefit (16-<18 yrs)	F-3	6	1
5902(b.1)(8)*	Promoting prostitution of minor-receive benefit (<16 yrs)	F-3	8	1
5902(d)	Living off prostitutes	M-2	3	m
5902(d)	Living off prostitutes (compel)	F-3	5	1
5902(d)	Living off prostitutes (HIV positive/AIDS)	F-3	5	1
5902(d)	Living off prostitutes (spouse/child/ward)	F-3	5	1
5902(e)	Patronizing prostitutes (1st/2nd off)	M-3	1	m
5902(e)	Patronizing prostitutes (3rd off)	M-2	3	m
5902(e)	Patronizing prostitutes (4th/subsq off)	M-1	4	m
5902(e)	Patronizing prostitutes (HIV positive/AIDS)	F-3	7	1
5903(a)(1)	Obscene materials-display (1st off & not for resale)	M-1	3	m
5903(a)(1)	Obscene materials-display (2nd/subsq off or for resale)	F-3	5	1
5903(a.1)	Obscene materials-disseminate via elec. comm. (1st off & not for resale)	M-1	3	m
5903(a.1)	Obscene materials-disseminate via elec. comm. att. evade prosec. (1st) (additional penalty)	M-1	3	m
5903(a.1)	Obscene materials-disseminate via elec. comm: att. evade prosec. (2nd) (additional penalty)	M-1	3	m
5903(a)(2)	Obscene materials-sell (1st off & not for resale)	M-1	3	m
5903(a)(2)	Obscene materials-sell (2nd/subsq off or for resale)	F-3	5	1
5903(a)(3)(i)	Obscene materials-design (1st off & not for resale)	M-1	3	m
5903(a)(3)(i)	Obscene materials-design (2nd/subsq off or for resale)	F-3	5	1
5903(a)(3)(ii)	Obscene materials-design: minor depicted (1st off & not for resale)	M-1	4	m
5903(a)(3)(ii)	Obscene materials-design: minor depicted (2nd/subsq off or for resale)	F-3	6	1

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
5903(a)(4)(i)	Obscene materials-prepare ad (1st off & not for resale)	M-1	3	m
5903(a)(4)(i)	Obscene materials-prepare ad (2nd/subsq off or for resale)	F-3	5	1
5903(a)(4)(ii)	Obscene materials-prepare ad: minor included (1st off & not for resale)	M-1	4	m
5903(a)(4)(ii)	Obscene materials-prepare ad: minor included (2nd/subsq off or for resale)	F-3	6	1
5903(a)(5)(i)	Obscene materials-produce performance (1st off & not for resale)	M-1	3	m
5903(a)(5)(i)	Obscene materials-produce performance (2nd/subsq off or for resale)	F-3	5	1
5903(a)(5)(ii)	Obscene materials-produce performance: minor included (1st off & not for resale)	M-1	4	m
5903(a)(5)(ii)	Obscene materials-produce performance: minor included (2nd/subsq off or for resale)	F-3	6	1
5903(a)(6)	Obscene materials-use minor to assist (1st off & not for resale)	M-1	4	m
5903(a)(6)	Obscene materials-use minor to assist (2nd/subsq off or for resale)	F-3	6	1
5903(a)(7)	Obscene materials-deliver to correctnl facility (1st off & not for resale)	M-1	3	m
5903(a)(7)	Obscene materials-deliver to correctnl facility (2nd/subsq off or for resale)	F-3	5	1
5903(a)(8)	Obscene materials-inmate possesses (1st off & not for resale)	M-1	3	m
5903(a)(8)	Obscene materials-inmate possesses (2nd/subsq off or for resale)	F-3	5	1
5903(a)(9)	Obscene materials-permit into correctnl inst (1st off & not for resale)	M-1	3	m
5903(a)(9)	Obscene materials-permit into correctnl inst (2nd/subsq off or for resale)	F-3	5	1
5903(c)(1)	Obscene materials-disseminate pictures to minors (1st off)	F-3	5	1
5903(c)(1)	Obscene materials-disseminate pictures to minors (2nd/subsq off)	F-2	7	2
5903(c)(2)	Obscene materials-disseminate print/audio to minors (1st off)	F-3	5	1
5903(c)(2)	Obscene materials-disseminate print/audio to minors (2nd/subsq off)	F-2	7	2
5903(d)	Obscene materials-admit minor to show (1st off)	F-3	5	1
5903(d)	Obscene materials-admit minor to show (2nd/subsq off)	F-2	7	2
5903(f)	Obscene materials-require sale	M-1	3	m
5904	Public exhibition of insane/deformed person	M-2	2	m
6105(a)(1)*	Firearms-persons not to possess: convicted of enumerated felony (loaded/ammo available) ((a.1)(1))	F-2	10	2
6105(a)(1)*	Firearms-persons not to possess: convicted of enumerated felony (loaded/ammo available) ((a.1)(1)) (previous conviction)	F-1	11 [10]	3
6105(a)(1)*	Firearms-persons not to possess: convicted of enumerated felony (loaded/ammo available) ((a.1)(1)) (possession/control of firearm or within reach)	F-1	11 [10]	3

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
6105(a)(1)*	Firearms-persons not to possess: convicted of enumerated felony (unloaded/no ammo available) ((a.1)(1))	F-2	9	2
6105(a)(1)*	Firearms-persons not to possess: convicted of enumerated felony (unloaded/no ammo available) ((a.1)(1)) (previous conviction)	F-1	10 [9]	3
6105(a)(1)*	Firearms-persons not to possess: convicted of enumerated felony (unloaded/no ammo available) ((a.1)(1)) (possession/control of firearm or within reach)	F-1	10 [9]	3
6105(a)(1)*	Firearms-persons not to possess: convicted of enumerated misd. (loaded/ammo available) ((a.1)(1))	M-1	3	1
6105(a)(1)*	Firearms-persons not to possess: convicted of enumerated misd. (unloaded/no ammo available) ((a.1)(1))	M-1	3	1
6105(a)(1)*	Firearms-persons not to possess: accept w/PFA (loaded/ammo available) ((a.1)(2)(i))	M-3	2	m
6105(a)(1)*	Firearms-persons not to possess: accept w/PFA (unloaded/no ammo available) ((a.1)(2)(i))	M-3	1	m
6105(a)(1)*	Firearms-persons not to possess: fail to relinquish w/PFA (loaded/ammo available) ((a.1)(2))	M-1	5	1
6105(a)(1)*	Firearms-persons not to possess: fail to relinquish w/PFA (unloaded/no ammo available) ((a.1)(2))	M-1	4	1
6105(a)(1)*	Firearms-persons not to possess: return to person w/PFA (loaded/ammo available) ((a.1)(5))	M-1	6	1
6105(a)(1)*	Firearms-persons not to possess: return to person w/PFA (unloaded/no ammo available) (a.1)(5)	M-1	5	1
6105(a)(1)*	Firearms-persons not to possess: fugitive from justice (loaded/ammo available) ((c)(1))	M-1	6	1
6105(a)(1)*	Firearms-persons not to possess: fugitive from justice (unloaded/no ammo available) ((c)(1))	M-1	5	1
6105(a)(1)*	Firearms-persons not to possess: convicted of drug offense (loaded/ammo available) ((c)(2))	M-1	6	1
6105(a)(1)*	Firearms-persons not to possess: convicted of drug offense (unloaded/no ammo available) ((c)(2))	M-1	5	1
6105(a)(1)*	Firearms-persons not to possess: convicted of DUI (loaded/ammo available) ((c)(3))	M-1	6	1
6105(a)(1)*	Firearms-persons not to possess: convicted of DUI (unloaded/no ammo available) ((c)(3))	M-1	5	1
6105(a)(1)*	Firearms-persons not to possess: incompetent/mental illness (loaded/ammo available) ((c)(4))	M-1	5	1
6105(a)(1)*	Firearms-persons not to possess: incompetent/mental illness (unloaded/no ammo available) ((c)(4))	M-1	4	1
6105(a)(1)*	Firearms-persons not to possess: alien (loaded/ammo available) ((c)(5))	M-1	6	1
6105(a)(1)*	Firearms-persons not to possess: alien (unloaded/no ammo available) ((c)(5))	M-1	5	1
6105(a)(1)*	Firearms-persons not to possess: active PFA (loaded/ammo available) ((c)(6))	M-1	6	1
6105(a)(1)*	Firearms-persons not to possess: active PFA (unloaded/no ammo available) ((c)(6))	M-1	5	1

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
6105(a)(1)*	Firearms-persons not to possess: adjudicated delinquent (loaded/ammo available) ((c)(7))	M-1	6	1
6105(a)(1)*	Firearms-persons not to possess: adjudicated delinquent (unloaded/no ammo available) ((c)(7))	M-1	5	1
6105(a)(1)*	Firearms-persons not to possess: adjudicated delinquent (loaded/ammo available) ((c)(8))	M-1	6	1
6105(a)(1)*	Firearms-persons not to possess: adjudicated delinquent (unloaded/no ammo available) ((c)(8))	M-1	5	1
6105(a)(1)*	Firearms-persons not to possess: other under U.S.C. (loaded/ammo available) ((c)(9))	M-1	6	1
6105(a)(1)*	Firearms-persons not to possess: other under U.S.C. (unloaded/no ammo available) ((c)(9))	M-1	5	1
6106(a)(1)*	Firearms-carried w/o license: ineligible (loaded/ammo available)	F-3	9	1
6106(a)(1)*	Firearms-carried w/o license: ineligible (unloaded/no ammo available)	F-3	7	1
6106(a)(2)*	Firearms-carried w/o license: eligible (loaded/ammo available & crim act.)	F-3	9	1
6106(a)(2)*	Firearms-carried w/o license: eligible (unloaded/no ammo available & crim act.)	F-3	7	1
6106(a)(2)*	Firearms-carried w/o license (loaded/ammo available/no other crim. act.)	M-1	4	1
6106(a)(2)*	Firearms-carried w/o license (unloaded/no ammo available/no other crim. act.)	M-1	3	1
6107(a)	Firearms-prohibited conduct during emergency	M-1	3	1
6108*	Firearms-carrying in Philadelphia (loaded/ammo available)	M-1	5	1
6108*	Firearms-carrying in Philadelphia (unloaded/no ammo available)	M-1	4	1
6110.1(a)	Firearms-possession by minor	M-1	3	1
6110.1(c)	Firearms-delivery to minor by adult	F-3	7	1
6110.2(a)*	Firearms-possession w/altered mfr. num. (loaded/ammo available)	F-2	10	2
6110.2(a)*	Firearms-possession w/altered mfr. num. (unloaded/no ammo available)	F-2	9	2
6111(a)(1)	Firearms-sale/transfer: deliver before 48 hrs	M-2	2	m
6111(a)(1)	Firearms-sale/transfer: deliver before 48 hrs (2nd/subsq off)	F-2	9	2
6111(a)(1)	Firearms-sale/transfer: deliver before 48 hrs (false statements)	F-3	8	1
6111(a)(1)	Firearms-sale/transfer: deliver before 48 hrs (inappropriate use of crim history)	F-3	5	1
6111(a)(1)	Firearms-sale/transfer: deliver before 48 hrs (sell to ineligible)	F-3	8	1
6111(a)(1)	Firearms-sale/transfer: deliver before 48 hrs (unlawful crim history request)	F-3	5	1
6111(a)(2)	Firearms-sale/transfer: deliver w/o crim history check	M-2	2	m
6111(a)(2)	Firearms-sale/transfer: deliver w/o crim history check (2nd/subsq off)	F-2	9	2
6111(a)(2)	Firearms-sale/transfer: deliver w/o crim history check (false statements)	F-3	8	1
6111(a)(2)	Firearms-sale/transfer: deliver w/o crim history check (inappropriate use of crim history)	F-3	5	1

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
6111(a)(2)	Firearms-sale/transfer: deliver w/o crim history check (sell to ineligible)	F-3	8	1
6111(a)(2)	Firearms-sale/transfer: deliver w/o crim history check (unlawful crim history request)	F-3	5	1
6111(b)(1)	Firearms-sale/transfer: full app/record of sale	M-2	2	m
6111(b)(1)	Firearms-sale/transfer: full app/record of sale (2nd/subsq off)	F-2	9	2
6111(b)(1)	Firearms-sale/transfer: full app/record of sale (false statements)	F-3	8	1
6111(b)(1)	Firearms-sale/transfer: full app/record of sale (inappropriate use of crim history)	F-3	5	1
6111(b)(1)	Firearms-sale/transfer: full app/record of sale (sell to ineligible)	F-3	8	1
6111(b)(1)	Firearms-sale/transfer: full app/record of sale (unlawful crim history request)	F-3	5	1
6111(b)(1.2)	Firearms-sale/transfer: transmit fee	M-2	2	m
6111(b)(1.2)	Firearms-sale/transfer: transmit fee (2nd/subsq off)	F-2	9	2
6111(b)(1.2)	Firearms-sale/transfer: transmit fee (false statements)	F-3	8	1
6111(b)(1.2)	Firearms-sale/transfer: transmit fee (inappropriate use of crim history)	F-3	5	1
6111(b)(1.2)	Firearms-sale/transfer: transmit fee (sell to ineligible)	F-3	8	1
6111(b)(1.2)	Firearms-sale/transfer: transmit fee (unlawful crim history request)	F-3	5	1
6111(c)	Firearms-sale/transfer: thru licensed dealer	M-2	2	m
6111(c)	Firearms-sale/transfer: thru licensed dealer (2nd/subsq off)	F-2	9	2
6111(c)	Firearms-sale/transfer: thru licensed dealer (false statements)	F-3	8	1
6111(c)	Firearms-sale/transfer: thru licensed dealer (inappropriate use of crim history)	F-3	5	1
6111(c)	Firearms-sale/transfer: thru licensed dealer (sell to ineligible)	F-3	8	1
6111(c)	Firearms-sale/transfer: thru licensed dealer (unlawful crim history request)	F-3	5	1
6111(g)(2)	Firearms-sale/transfer: to unqualified or ineligible person	F-3	8	1
6111(g)(2)	Firearms-sale/transfer: to unqualified or ineligible person (2nd/subsq off)	F-2	9	2
6111(g)(4)	Firearms-sale/transfer: false statements, materials, ID	F-3	8	1
6111(g)(4)	Firearms-sale/transfer: false statements, materials, ID (2nd/subsq off)	F-2	9	2
6112	Firearms-dealer to be licensed	M-1	3	1
6113(a)(1)	Firearms-dealer license: sell in undesignated area	M-1	3	1
6113(a)(2)	Firearms-dealer license: fail to display license	M-1	3	1
6113(a)(3)	Firearms-dealer license: violation of act	M-1	3	1
6113(a)(4)	Firearms-dealer license: w/o knowledge of purchaser	M-1	3	1
6113(a)(5)	Firearms-dealer license: fail to keep record	M-1	3	1
6113(a)(6)	Firearms-dealer license: display firearm in public view	M-1	3	1

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
6115(a)	Firearms-lending prohibited	M-1	3	1
6116	Firearms-give false info/identity for purchase	M-1	3	1
6117(a)	Firearms-alter mfr. number/ID	F-2	7	2
6121(a)	Firearms-certain bullets prohibited	F-3	5	1
6122	Firearms-proof of license	M-1	3	1
6161(a)	Carrying explosives on conveyances	M-2	3	m
6162(a)	Shipping explosives	M-3	3	m
6301(a)(1)(i)	Corruption of minors	M-1	4	m
6301(a)(1)(ii)	Corruption of minors-course of conduct (of a sexual nature)	F-3	6	1
6301(a)(2)	Corruption of minors-encourage 2nd truancy in one year	M-3	1	m
6302(a)	Sale/lease of weapons/explosives (to minor)	M-1	4	m
6303(a)	Sale of starter pistols-to minors	M-1	4	m
6304(a)(1)	Sale/use of air rifles-sale or transfer (to minor)	M-3	1	m
6307(a)	Misrepresentation of age to secure alcohol (2nd/subsq off)	M-3	1	m
6309(a)	Representing that minor is of age	M-3	1	m
6310(a)	Inducement of minors to buy liquor/beer	M-3	1	m
6310.1(a)	Selling/furnishing liquor/beer to minors	M-3	1	m
6310.2(a)	Manufacture/sale of false ID card	M-2	2	m
6310.3(a)	Carrying a false ID card (2nd/subsq off)	M-3	1	m
6311(a)	Tattooing a minor (1st off)	M-3	1	m
6311(a)	Tattooing a minor (2nd/subsq off)	M-2	2	m
6311(b)	Body piercing a minor (1st off)	M-3	1	m
6311(b)	Body piercing a minor (2nd/subsq off)	M-2	2	m
6312(b)*	Sexual abuse of children-photographing/etc. sexual acts (13-<18 yrs)	F-2	8	2
6312(b)*	Sexual abuse of children-photographing/etc. sexual acts (<13 yrs or determination of prepubescence)	F-2	9	2
6312(b)*	Sexual abuse of children-photographing/etc. sexual acts: when indecent contact depicted (13-<18 yrs)	F-1	10	3
6312(b)*	Sexual abuse of children-photographing/etc. sexual acts: when indecent contact depicted (<13 yrs or determination of prepubescence)	F-1	10	3
6312(c)*	Sexual abuse of children-dissemination (13-<18 yrs) (1st off)	F-3	6	1
6312(c)*	Sexual abuse of children-dissemination (13-<18 yrs) (2nd/subsq off)	F-2	8	2
6312(c)*	Sexual abuse of children-dissemination (<13 yrs or determination of prepubescence) (1st off)	F-3	7	1
6312(c)*	Sexual abuse of children-dissemination (<13 yrs or determination of prepubescence) (2nd/subsq off)	F-2	9	2
6312(c)*	Sexual abuse of children-dissemination: when indecent contact depicted (13-<18 yrs) (1st offense)	F-2	9	2
6312(c)*	Sexual abuse of children-dissemination: when indecent contact depicted (13-<18 yrs) (2nd/subsq offense)	[F-1] F-2	10	[3] 2

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
6312(c)*	Sexual abuse of children-dissemination: when indecent contact depicted (<13 yrs or determination of [prepubescence] prepubescence) (1st offense)	F-2	9	2
6312(c)*	Sexual abuse of children-dissemination: indecent contact depicted (<13 yrs or determination of [prepubescence] prepubescence) (2nd/subsq offense)	[F-1] F-2	10	[3] 2
6312(d)*	Sexual abuse of children-possess child pornography (13-<18 yrs) (1st off)	F-3	6	1
6312(d)*	Sexual abuse of children-possess child pornography (13-<18 yrs) (2nd/subsq off)	F-2	8	2
6312(d)*	Sexual abuse of children-possess child pornography (<13 yrs or determination of prepubescence) (1st off)	F-3	7	1
6312(d)*	Sexual abuse of children-possess child pornography (<13 yrs or determination of prepubescence) (2nd/subsq off)	F-2	9	2
6312(d)*	Sexual abuse of children-possess child pornography: when indecent contact depicted (13-<18) (1st offense)	F-2	9	2
6312(d)*	Sexual abuse of children-possess child pornography: when indecent contact depicted (13-<18) (2nd/subsq offense)	[F-1] F-2	10	[3] 2
6312(d)*	Sexual abuse of children-possess child pornography: when indecent contact depicted (<13 yrs or determination of prepubescence) (1st offense)	F-2	9	2
6312(d)*	Sexual abuse of children-possess child pornography: when indecent contact depicted (<13 yrs or determination of prepubescence) (2nd/subsq offense)	[F-1] F-2	10	[3] 2
6318(a)(1)	Unlaw. contact w/minor-sexual offenses (underlying offense=F-3 or greater)	Same as underlying offense	same as underlying offense, or OGS 6, whichever is greater	same as underlying offense, or 1, whichever is greater
6318(a)(1)	Unlaw. contact w/minor-sexual offenses (underlying offense <F-3)	F-3	6	1
6318(a)(2)	Unlaw. contact w/minor-open lewdness (underlying offense=F-3 or greater)	Same as underlying offense	same as underlying offense, or OGS 6, whichever is greater	same as underlying offense, or 1, whichever is greater
6318(a)(2)	Unlaw. contact w/minor-open lewdness (underlying offense <F-3)	F-3	6	1
6318(a)(3)	Unlaw. contact w/minor-prostitution (underlying offense=F-3 or greater)	Same as underlying offense	same as underlying offense, or OGS 6, whichever is greater	same as underlying offense, or 1, whichever is greater
6318(a)(3)	Unlaw. contact w/minor-prostitution (underlying offense <F-3)	F-3	6	1
6318(a)(4)	Unlaw. contact w/minor-sexual materials (underlying offense=F-3 or greater)	Same as underlying offense	same as underlying offense, or OGS 6, whichever is greater	same as underlying offense, or 1, whichever is greater

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
6318(a)(4)	Unlaw. contact w/minor-sexual materials (underlying offense <F-3)	F-3	6	1
6318(a)(5)	Unlaw. contact w/minor-sexual abuse (underlying offense=F-3 or greater)	Same as underlying offense	same as underlying offense, or OGS 6, whichever is greater	same as underlying offense, or 1, whichever is greater
6318(a)(5)	Unlaw. contact w/minor-sexual abuse (underlying offense <F-3)	F-3	6	1
6318(a)(6)	Unlaw. contact w/minor-sexual exploitation (underlying offense=F-3 or greater)	Same as underlying offense	same as underlying offense, or OGS 6, whichever is greater	same as underlying offense, or 1, whichever is greater
6318(a)(6)	Unlaw. contact w/minor-sexual exploitation (underlying offense <F-3)	F-3	6	1
6319(a)	Solicitation of minors to traffic drugs-general	F-2	9	2
6319(b)	Solicitation of minors to traffic drugs-drug-free school zone	F-1	10	3
6320	Sexual exploitation of children	F-2	9	2
6321(b)	Transmission, sexually explicit image by minor-of another minor (victim >=12 yrs)	M-3	1	m
6321(c)(1)	Transmission, sexually explicit image by minor-w/ intent to harass: makes depiction of minor w/ nudity w/o knowledge and consent	M-2	3	m
6321(c)(2)	Transmission, sexually explicit image by minor-w/ intent to harass: transmits depiction of minor w/ nudity w/o knowledge and consent	M-2	3	m
6501(a)(1)	Scattering rubbish-upon land/stream (2nd/subsq off)	M-3	1	m
6501(a)(2)	Scattering rubbish-interferes w/ contents of receptacle (2nd/subsq off)	M-3	1	m
6501(a)(3)	Scattering rubbish-deposit trash on street (2nd/subsq off)	M-1	3	m
6501(a)(3)	Scattering rubbish-deposit trash on street (1st off)	M-2	2	m
6504	Public nuisances	M-2	2	m
6703	Dealing in military decorations	M-3	1	m
6707	False registration of domestic animals	M-3	1	m
6709(1)	Use of union labels-insignia	M-3	1	m
6709(2)	Use of union labels-nonunion product	M-3	1	m
6709(3)	Use of union labels-not authorized by union	M-3	1	m
6901	Extension of water line-w/o permit	M-3	1	m
6910(a)	Unauthorized sale of tickets	M-3	1	m
7102	Administer drugs to race horses	M-1	3	m
7103(a)	Horse racing	M-3	1	m
7104(a)	Fortune telling-for gain or lucre	M-3	1	m
7107(a)(1)	Unlawf. action by athlete agent-prior to eligibility expired	M-1	3	m
7107(a)(2)	Unlawf. action by athlete agent-give prior to eligibility expired	M-1	3	m
7107(a)(3)	Unlawf. action by athlete agent-agreement w/ univ. employee for referral	M-1	3	m
7302(a)	Sale of solidified alcohol	M-2	2	m
7302(b)	Labeling of solidified alcohol	M-1	3	m

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
7303(a)	Sale/illegal use of certain solvents-smell/inhale toxic subst	M-3	1	m
7303(c)	Sale/illegal use of certain solvents-possess solvent for toxic vapors	M-3	1	m
7303(d)	Sale/illegal use of certain solvents-sell solvent for toxic vapors	M-3	1	m
7306(a)	Incendiary devices	M-1	3	m
7307	Out-of-state convict made goods-sell/exchange	M-2	2	m
7308(a)	Unlawful advertising of insurance business	M-2	2	m
7309(a)	Unlawful coercion in contracting insurance	M-1	3	m
7310(a)	Furnishing free insurance as inducement for purchase	M-3	1	m
7311(a)	Unlawful collection agency practices-assignment of claims	M-3	1	m
7311(b)	Unlawful collection agency practices-appearance for creditor	M-3	1	m
7311(b.1)	Unlawful collection agency practices-unfair/deceptive methods	M-3	1	m
7311(c)	Unlawful collection agency practices-unlaw. furnish legal services	M-3	1	m
7311(d)	Unlawful collection agency practices-unlaw. service for debtor	M-3	1	m
7311(e)	Unlawful collection agency practices-unlaw. solicit job for attorney	M-3	1	m
7311(f)	Unlawful collection agency practices-unlaw. coercion/intimidation	M-3	1	m
7312(a)	Debt pooling	M-3	1	m
7313(a)	Buying/exchanging food stamps (\geq \$1,000)	F-3	5	1
7313(a)	Buying/exchanging food stamps ($<$ \$1,000)	M-1	3	m
7314(a)	Fraudulent traffic in food orders (\geq \$1,000)	F-3	5	1
7314(a)	Fraudulent traffic in food orders ($<$ \$1,000)	M-1	3	m
7316(a)	Keeping bucket-shop	M-3	1	m
7317(a)	Accessories in conduct of bucket-shop	M-3	1	m
7318(a)	Maintaining premises of bucket-shop	M-3	1	m
7319(b)	Bucket-shop contracts	M-3	1	m
7321(a)	Lie detector tests-require for employment	M-2	2	m
7322	Demanding property/money to secure employment	M-3	1	m
7323	Discrimination on account of U.S. armed forces uniform	M-2	2	m
7324(b)	Unlaw. sale of dissertations/etc.-sale of assistance	M-3	1	m
7324(c)	Unlaw. sale of dissertations/etc.-sale of assignment	M-3	1	m
7324(d)	Unlaw. sale of dissertations/etc.-distribution for sale	M-3	1	m
7326(a)	Disclosure of confidential tax information	M-3	1	m
7328(a)	Operation of unauthorized bottle club	M-3	1	m
7503(a)	Architects/engineers-interest in public works contracts	M-3	1	m
7504(a)	Appointment of special police	M-3	1	m
7507	Breach of privacy-use stress monitor w/o consent	M-2	2	m
7507.1(a)(1)	Invasion of privacy-view/photograph person w/o consent (single violation)	M-3	2	m

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
7507.1(a)(1)	Invasion of privacy-view/photograph person w/o consent (>1 violation)	M-2	3	m
7507.1(a)(2)	Invasion of privacy-view/photograph intimate parts w/o consent (single violation)	M-3	2	m
7507.1(a)(2)	Invasion of privacy-view/photograph intimate parts w/o consent (>1 violation)	M-2	3	m
7507.1(a)(3)	Invasion of privacy-transfer image (single violation)	M-3	2	m
7507.1(a)(3)	Invasion of privacy-transfer image (>1 violation)	M-2	3	m
7508.2(a)	Operate meth lab-cause chemical reaction	F-2	8	2
7508.2(a)	Operate meth lab-cause chemical reaction (w/in 1000 ft of school)	F-1	9	3
7509(a)	Furnishing drug-free urine: unlaw. sale	M-3	1	m
7509(b)	Furnishing drug-free urine: unlaw. use	M-3	1	m
7510(a)	Municipal housing code avoidance (4th off)	M-2	2	m
7510(a)	Municipal housing code avoidance (5th/subsq off)	M-1	3	m
7512(a)	Criminal use of communication facility	F-3	5	1
7515(a)(1)	Contingent compensation-compensate other	M-3	1	m
7515(a)(2)	Contingent compensation-agree to lobby	M-3	1	m
7516(a)	Greyhound racing-for remuneration	M-1	3	m
7517(b)	Commemorative service demonstration activities	M-3	1	m
7611(a)(1)	Unlawful use of computer-access w/ intent to disrupt function	F-3	7	1
7611(a)(2)	Unlawful use of computer-access/interfere/damage/destroy	F-3	7	1
7611(a)(3)	Unlawful use of computer-provide password/ID code/PIN/etc.	F-3	7	1
7612(a)	Disruption of computer service	F-3	7	1
7613(a)	Computer theft	F-3	7	1
7614(a)	Unlawful duplication (>\$2500)	F-2	7	2
7614(a)	Unlawful duplication (<=\$2500)	F-3	5	1
7615(a)(1)	Computer trespass-remove data/programs	F-3	7	1
7615(a)(2)	Computer trespass-cause malfunction	F-3	7	1
7615(a)(3)	Computer trespass-alter/erase data	F-3	7	1
7615(a)(4)	Computer trespass-transfer funds	F-3	7	1
7615(a)(5)	Computer trespass-cause physical injury to property	F-3	7	1
7616(a)(1)	Distribution of a computer virus-prevent/disrupt operation	F-3	7	1
7616(a)(2)	Distribution of a computer virus-degrade/destroy performance	F-3	7	1
7622	Duty of internet provider-disable child porn access (1st off)	M-3	1	m
7622	Duty of internet provider-disable child porn access (2nd off)	M-2	2	m
7622	Internet service provider-disable child porn access (3rd/subsq off)	F-3	5	1
7641(a)	Computer-assisted remote harvesting of animals	M-3	1	m
7661(a)(1)	Unlaw. transmis. email-forged/falsify	M-3	1	m
7661(a)(1)	Unlaw. transmis. email-forged/falsify (malicious damage; >=\$2500)	F-3	7	1
7661(a)(1)	Unlaw. transmis. email-forged/falsify (reckless damage; >=\$2500)	M-1	5	m

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
7661(a)(2)(i)	Unlaw. transmis. email-sell software to falsify	M-3	1	m
7661(a)(2)(i)	Unlaw. transmis. email-sell software to falsify (malicious damage; >=\$2500)	F-3	7	1
7661(a)(2)(i)	Unlaw. transmis. email-sell software to falsify (reckless damage; >=\$2500)	M-1	5	m
7661(a)(2)(ii)	Unlaw. transmis. email-sell software w/ limited purpose	M-3	1	m
7661(a)(2)(ii)	Unlaw. transmis. email-sell software w/ limited purpose (malicious damage; >=\$2500)	F-3	7	1
7661(a)(2)(ii)	Unlaw. transmis. email-sell software w/ limited purpose (reckless damage; >=\$2500)	M-1	5	m
7661(a)(2)(iii)	Unlaw. transmis. email-sell software known to falsify	M-3	1	m
7661(a)(2)(iii)	Unlaw. transmis. email-sell software known to falsify (malicious damage; >=\$2500)	F-3	7	1
7661(a)(2)(iii)	Unlaw. transmis. email-sell software known to falsify (reckless damage; >=\$2500)	M-1	5	m
7702(1)	Owning/operating/conducting a chop shop	F-2	7	2
7702(2)	Owning/operating/conducting a chop shop-transfer/sell vehicle	F-2	7	2
7703	Altered or illegally obtained property-veh ID num	F-3	5	1
7704	Altered or illegally obtained property-disposition	F-3	5	1

*=subcategorized offenses. See § 303.3(b).
 m=other misdemeanor offense. See § 303.7(a)(5).
 Inchoate=Inchoate to 4 point PRS offenses. See § 303.7(a)(5).
 See §§ 303.7(c) and 303.8(b) for all other inchoates.

**MISCELLANEOUS OFFENSES
 (Child Abuse Reporting)**

<i>23 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
4354(d)(2)	Willful failure to pay child support (special circumstances)	M-3	1	m
6319(a)(2)(i)	Failure to report or to refer suspected child abuse-willfully fails to report	F-3	5	1
6319(a)(2)(ii)	Failure to report or to refer suspected child abuse-abuse constitutes F-1 or higher	F-3	5	1
6319(a)(2)(iii)	Failure to report or to refer suspected child abuse-has direct knowledge of nature of abuse	F-3	5	1
6319(a)(3)	Failure to report or to refer suspected child abuse	M-2	2	m
6319(b)	Failure to report or to refer suspected child abuse-continuing course of action	M-1	3	m
6319(b)	Failure to report or to refer suspected child abuse-continuing course of action (child abuse is F-1 or higher)	F-3	5	1
6319(c)	Failure to report or to refer suspected child abuse (2nd/subsq)	F-3	6	1
6319(c)	Failure to report or to refer suspected child abuse-child abuse [is] if F-1 or higher (2nd subsq)	F-2	7	2
6346(b)	Willful failure to cooperate in investigation of suspected child abuse (1st violation)	M-3	2	m
6346(b)	Willful failure to cooperate in investigation of suspected child abuse (subsq violation)	M-2	3	m

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

OPERATION OF BOATS

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

<i>30 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
5502(a.3)(1)(i)	Oper. watercraft under influence-controlled substances: Sched I (2nd off)	M-1	5	1
5502(a.3)(1)(i)	Oper. watercraft under influence-controlled substances: Sched I (3rd/subsq off)	M-1	5	1
5502(a.3)(1)(ii)	Oper. watercraft under influence-controlled substances: Sched II/III (1st off)	M	1	m
5502(a.3)(1)(ii)	Oper. watercraft under influence-controlled substances: Sched II/III (2nd off)	M-1	5	1
5502(a.3)(1)(ii)	Oper. watercraft under influence-controlled substances: Sched II/III (3rd/subsq off)	M-1	5	1
5502(a.3)(1)(iii)	Oper. watercraft under influence-controlled substances: metabolite of Sched I/II/III (1st off)	M	1	m
5502(a.3)(1)(iii)	Oper. watercraft under influence-controlled substances: metabolite of Sched I/II/III (2nd off)	M-1	5	1
5502(a.3)(1)(iii)	Oper. watercraft under influence-controlled substances: metabolite of Sched I/II/III (3rd/subsq off)	M-1	5	1
5502(a.3)(2)	Oper. watercraft under influence-controlled substances & incapable of safe operation (1st off)	M	1	m
5502(a.3)(2)	Oper. watercraft under influence-controlled substances & incapable of safe operation (2nd off)	M-1	5	1
5502(a.3)(2)	Oper. watercraft under influence-controlled substances & incapable of safe operation (3rd/subsq off)	M-1	5	1
5502(a.3)(3)	Oper. watercraft under influence-controlled substances & alcohol & incapable of safe operation (1st off)	M	1	m
5502(a.3)(3)	Oper. watercraft under influence-controlled substances & alcohol & incapable of safe operation (2nd off)	M-1	5	1
5502(a.3)(3)	Oper. watercraft under influence-controlled substances & alcohol & incapable of safe operation (3rd/subsq off)	M-1	5	1
5502(a.3)(4)	Oper. watercraft under influence-controlled substances: solvent, etc. (1st off)	M	1	m
5502(a.3)(4)	Oper. watercraft under influence-controlled substances: solvent, etc. (2nd off)	M-1	5	1
5502(a.3)(4)	Oper. watercraft under influence-controlled substances: solvent, etc. (3rd/subsq off)	M-1	5	1
5502(a.4)	Oper. watercraft under influence-minor operator (1st off)	M	1	m
5502(a.4)	Oper. watercraft under influence-minor operator (2nd off)	M	1	1
5502(a.4)	Oper. watercraft under influence-minor operator (3rd off)	M-1	5	1
5502(a.4)	Oper. watercraft under influence-minor operator (4th/subsq off)	M-1	5	1
5502.1(a)	Homicide by watercraft while operating under influence	F-2	10	2
5502.2*	Homicide by watercraft (when there is a conviction for operating under the influence)	M-1	8	1
5502.2*	Homicide by watercraft (when there is not a conviction for operating under the influence)	M-1	6	1
5502.3(a)	Aggravated assault by watercraft while operating under influence	F-2	7	2

<i>30 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
5507(a)	Duties of operators involved in boating accidents-stop	M-1	3	m
5507(a)	Duties of operators involved in boating accidents-stop (death)	F-3	5	1
5507(b)	Duties of operators involved in boating accidents-give information	M-1	3	m
5507(b)	Duties of operators involved in boating accidents-give information (death)	F-3	5	1
5507(c)	Duties of operators involved in boating accidents-render aid	M-1	3	m
5507(c)	Duties of operators involved in boating accidents-render aid (death)	F-3	5	1
5507(d)	Duties of operators involved in boating accidents-stay	M-1	3	m
5507(d)	Duties of operators involved in boating accidents-stay (death)	F-3	5	1

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

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

DRUG ACT OFFENSES

<i>35 Pa.C.S. § 780-113</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
(a)(1)	Manufacture/sale/delivery-adulterated controlled substance (1st off)	M	4	m
(a)(1)	Manufacture/sale/delivery-adulterated controlled substance (2nd/subsq off)	M	4	m
(a)(2)	Adulterate/misbrand-controlled substance (1st off)	M	4	m
(a)(2)	Adulterate/misbrand-controlled substance (2nd/subsq off)	M	4	m
(a)(3)	False/misleading advertisement (1st off)	M	4	m
(a)(3)	False/misleading advertisement (2nd/subsq off)	M	4	m
(a)(4)	Removal/disposal-detained substance (1st off)	M	5	m
(a)(4)	Removal/disposal-detained substance (2nd/subsq off)	M	5	m
(a)(5)	Adulterate/destroy label-controlled substance for sale (1st off)	M	4	m
(a)(5)	Adulterate/destroy label-controlled substance for sale (2nd/subsq off)	M	4	m
(a)(6)	Forge/counterfeit w/ mark/ID symbol (1st off)	M	5	m
(a)(6)	Forge/counterfeit w/ mark/ID symbol (2nd/subsq off)	M	5	m
(a)(7)	Place trademark on controlled substance to defraud (1st off)	M	5	m
(a)(7)	Place trademark on controlled substance to defraud (2nd/subsq off)	M	5	m
(a)(8)	Selling controlled substance w/ defrauded trademark (1st off)	M	5	m
(a)(8)	Selling controlled substance w/ defrauded trademark (2nd/subsq off)	M	5	m
(a)(9)	Selling trademark equipment to defraud (1st off)	M	5	m

<i>35 Pa.C.S. § 780-113</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
(a)(9)	Selling trademark equipment to defraud (2nd/subsq off)	M	5	m
(a)(10)	Illegal sale of nonproprietary drug (1st off)	M	4	m
(a)(10)	Illegal sale of nonproprietary drug (2nd/subsq off)	M	4	m
(a)(11)	Illegal pharmacy operations (1st off)	M	5	m
(a)(11)	Illegal pharmacy operations (2nd/subsq off)	M	5	m
(a)(12)*	Acquisition of controlled substance by fraud-heroin (>1000 g)	F	13	3
(a)(12)*	Acquisition of controlled substance by fraud-heroin (100-1000 g)	F	11	3
(a)(12)*	Acquisition of controlled substance by fraud-heroin (50-<100 g)	F	10	[2] 3
(a)(12)*	Acquisition of controlled substance by fraud-heroin (10-<50 g)	F	8	2
(a)(12)*	Acquisition of controlled substance by fraud-heroin (1-<10 g)	F	7	2
(a)(12)*	Acquisition of controlled substance by fraud-heroin (<1 g)	F	6	2
(a)(12)*	Acquisition of controlled substance by fraud-other narcotics, Sched I & II (>1000 g)	F	13	3
(a)(12)*	Acquisition of controlled substance by fraud-other narcotics, Sched I & II (>1000 pills)	F	13	3
(a)(12)*	Acquisition of controlled substance by fraud-other narcotics, Sched I & II (100-1000 g)	F	11	3
(a)(12)*	Acquisition of controlled substance by fraud-other narcotics, Sched I & II (100-1000 pills)	F	11	3
(a)(12)*	Acquisition of controlled substance by fraud-other narcotics, Sched I & II (50-<100 g)	F	10	3
(a)(12)*	Acquisition of controlled substance by fraud-other narcotics, Sched I & II (50-<100 pills)	F	10	2
(a)(12)*	Acquisition of controlled substance by fraud-other narcotics, Sched I & II (10-<50 g)	F	8	2
(a)(12)*	Acquisition of controlled substance by fraud-other narcotics, Sched I & II (10-<50 pills)	F	8	2
(a)(12)*	Acquisition of controlled substance by fraud-other narcotics, Sched I & II (1-<10 g)	F	7	2
(a)(12)*	Acquisition of controlled substance by fraud-other narcotics, Sched I & II (1-<10 pills)	F	7	2
(a)(12)*	Acquisition of controlled substance by fraud-other narcotics, Sched I & II (<1 g)	F	6	2
(a)(12)*	Acquisition of controlled substance by fraud-cocaine (>1000 g)	F	13	3
(a)(12)*	Acquisition of controlled substance by fraud-cocaine (100-1000 g)	F	11	3
(a)(12)*	Acquisition of controlled substance by fraud-cocaine (50-<100 g)	F	10	3
(a)(12)*	Acquisition of controlled substance by fraud-cocaine (10-<50 g)	F	8	3
(a)(12)*	Acquisition of controlled substance by fraud-cocaine (5-<10 g)	F	7	2
(a)(12)*	Acquisition of controlled substance by fraud-cocaine (2-<5 g)	F	6	2

<i>35 Pa.C.S. § 780-113</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
(a)(12)*	Acquisition of controlled substance by fraud-cocaine (<2 g)	F	5	2
(a)(12)*	Acquisition of controlled substance by fraud-methamphetamine (>1000 g)	F	13	3
(a)(12)*	Acquisition of controlled substance by fraud-methamphetamine (100-1000 g)	F	11	3
(a)(12)*	Acquisition of controlled substance by fraud-methamphetamine (50-<100 g)	F	10	3
(a)(12)*	Acquisition of controlled substance by fraud-methamphetamine (10-<50 g)	F	8	2
(a)(12)*	Acquisition of controlled substance by fraud-methamphetamine (2.5-<10 g)	F	7	2
(a)(12)*	Acquisition of controlled substance by fraud-methamphetamine (<2.5 g)	F	6	2
(a)(12)*	Acquisition of controlled substance by fraud-PCP (>1000 g)	F	13	3
(a)(12)*	Acquisition of controlled substance by fraud-PCP (100-1000 g)	F	11	3
(a)(12)*	Acquisition of controlled substance by fraud-PCP (50-<100 g)	F	10	3
(a)(12)*	Acquisition of controlled substance by fraud-PCP (10-<50 g)	F	8	2
(a)(12)*	Acquisition of controlled substance by fraud-PCP (2.5-<10 g)	F	7	2
(a)(12)*	Acquisition of controlled substance by fraud-PCP (<2.5 g)	F	6	2
(a)(12)*	Acquisition of controlled substance by fraud-MDMA (>1000 g)	F	13	3
(a)(12)*	Acquisition of controlled substance by fraud-MDMA (100-1000 g)	F	11	3
(a)(12)*	Acquisition of controlled substance by fraud-MDMA (50-<100 g)	F	10	3
(a)(12)*	Acquisition of controlled substance by fraud-MDMA (10-<50 g)	F	8	2
(a)(12)*	Acquisition of controlled substance by fraud-MDMA (2.5-<10 g)	F	7	2
(a)(12)*	Acquisition of controlled substance by fraud-MDMA (<2.5 g)	F	6	2
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (>1000 lbs.)	F	10	3
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (>5000 plants)	F	10	3
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (50-1000 lbs.)	F	8	2
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (51-5000 plants)	F	8	2
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (10-<50 lbs.)	F	7	2
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (21-<51 plants)	F	7	2
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (1-<10 lbs.)	F	5	2
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (10-<21 plants)	F	5	2

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

<i>35 Pa.C.S. § 780-113</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
(a)(14)*	Delivery by practitioner-cocaine (<2 g)	F	5	2
(a)(14)*	Delivery by practitioner-methamphetamine (>1000 g)	F	13	3
(a)(14)*	Delivery by practitioner-methamphetamine (100-1000 g)	F	11	3
(a)(14)*	Delivery by practitioner-methamphetamine (50-<100 g)	F	10	3
(a)(14)*	Delivery by practitioner-methamphetamine (10-<50 g)	F	8	2
(a)(14)*	Delivery by practitioner-methamphetamine (2.5-<10 g)	F	7	2
(a)(14)*	Delivery by practitioner-methamphetamine (<2.5 g)	F	6	2
(a)(14)*	Delivery by practitioner-PCP (>1000 g)	F	13	3
(a)(14)*	Delivery by practitioner-PCP (100-1000 g)	F	11	3
(a)(14)*	Delivery by practitioner-PCP (50-<100 g)	F	10	3
(a)(14)*	Delivery by practitioner-PCP (10-<50 g)	F	8	2
(a)(14)*	Delivery by practitioner-PCP (2.5-<10 g)	F	7	2
(a)(14)*	Delivery by practitioner-PCP (<2.5 g)	F	6	2
(a)(14)*	Delivery by practitioner-MDMA (>1000 g)	F	13	3
(a)(14)*	Delivery by practitioner-MDMA (100-1000 g)	F	11	3
(a)(14)*	Delivery by practitioner-MDMA (50-<100 g)	F	10	3
(a)(14)*	Delivery by practitioner-MDMA (10-<50 g)	F	8	2
(a)(14)*	Delivery by practitioner-MDMA (2.5-< 10 g)	F	7	2
(a)(14)*	Delivery by practitioner-MDMA (<2.5 g)	F	6	2
(a)(14)*	Delivery by practitioner-marijuana (>1000 lbs.)	F	10	3
(a)(14)*	Delivery by practitioner-marijuana (>5000 plants)	F	10	3
(a)(14)*	Delivery by practitioner-marijuana (50-1000 lbs.)	F	8	2
(a)(14)*	Delivery by practitioner-marijuana (51-5000 plants)	F	8	2
(a)(14)*	Delivery by practitioner-marijuana (10-<50 lbs.)	F	7	2
(a)(14)*	Delivery by practitioner-marijuana (21-<51 plants)	F	7	2
(a)(14)*	Delivery by practitioner-marijuana (1-<10 lbs.)	F	5	2
(a)(14)*	Delivery by practitioner-marijuana (10-<21 plants)	F	5	2
(a)(14)*	Delivery by practitioner-marijuana (<1 lb.)	F	3	2
(a)(14)*	Delivery by practitioner-marijuana (<10 plants)	F	3	2
(a)(14)*	Delivery by practitioner-Sched I	F	5	2
(a)(14)*	Delivery by practitioner-Sched II	F	5	2
(a)(14)*	Delivery by practitioner-Sched III	F	5	2
(a)(14)*	Delivery by practitioner-Sched IV	F	5	2
(a)(14)*	Delivery by practitioner-Sched V	M	3	m
(a)(15)	Illegal retail sale-controlled substance (1st off)	M	4	m
(a)(15)	Illegal retail sale-controlled substance (2nd/subsq off)	M	4	m
(a)(16)	Simple possession (1st off)	M	3	m
(a)(16)	Simple possession (2nd/subsq off)	M	3	m

<i>35 Pa.C.S. § 780-113</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
(a)(16)	Simple possession-GHB (1st off)	F	5	2
(a)(16)	Simple possession-GHB (2nd/sub off)	F	5	2
(a)(17)	Dispense drugs w/o label by practitioner (1st off)	M	4	m
(a)(17)	Dispense drugs w/o label by practitioner (2nd/subsq off)	M	4	m
(a)(18)	Illegal sale container (1st off)	M	4	m
(a)(18)	Illegal sale container (2nd/subsq off)	M	4	m
(a)(19)	Intentional unauthorized purchase (1st off)	M	5	m
(a)(19)	Intentional unauthorized purchase (2nd/subsq off)	M	5	m
(a)(20)	Divulging trade secret (1st off)	M	4	m
(a)(20)	Divulging trade secret (2nd/subsq off)	M	4	m
(a)(21)	Failure to keep records (1st off)	M	2	m
(a)(21)	Failure to keep records (2nd/subsq off)	M	2	m
(a)(22)	Refusal of inspection (1st off)	M	2	m
(a)(22)	Refusal of inspection (2nd/subsq off)	M	2	m
(a)(23)	Unauthorized removal of seals	M	5	m
(a)(24)	Failure to obtain license (1st off)	M	2	m
(a)(24)	Failure to obtain license (2nd/subsq off)	M	2	m
(a)(25)	Manufacture by unauthorized party	M	5	m
(a)(26)	Distribution by registrant of Schedule I or II	M	5	m
(a)(27)	Use of fictitious registration number	M	5	m
(a)(28)	Furnish false application material	M	5	m
(a)(29)	Production of counterfeit trademarks equipment	M	5	m
(a)(30)*	Possession with intent to deliver-heroin (>1000 g)	F	13	3
(a)(30)*	Possession with intent to deliver-heroin (100-1000 g)	F	11	3
(a)(30)*	Possession with intent to deliver-heroin (50-<100 g)	F	10	3
(a)(30)*	Possession with intent to deliver-heroin (10-<50 g)	F	8	2
(a)(30)*	Possession with intent to deliver-heroin (1-<10 g)	F	7	2
(a)(30)*	Possession with intent to deliver-heroin (<1 g)	F	6	2
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (>1000 g)	F	13	3
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (>1000 pills)	F	13	3
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (100-1000 g)	F	11	3
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (100-1000 pills)	F	11	3
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (50-<100 g)	F	10	3
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (50-<100 pills)	F	10	2
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (10-<50 g)	F	8	2
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (10-<50 pills)	F	8	2

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

<i>35 Pa.C.S. § 780-113</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
(a)(30)*	Possession with intent to deliver-marijuana (>5000 plants)	F	10	3
(a)(30)*	Possession with intent to deliver-marijuana (50-1000 lbs.)	F	8	2
(a)(30)*	Possession with intent to deliver-marijuana (51-5000 plants)	F	8	2
(a)(30)*	Possession with intent to deliver-marijuana (10-<50 lbs.)	F	7	2
(a)(30)*	Possession with intent to deliver-marijuana (21-<51 plants)	F	7	2
(a)(30)*	Possession with intent to deliver-marijuana (1-<10 lbs.)	F	5	2
(a)(30)*	Possession with intent to deliver-marijuana (10-<21 plants)	F	5	2
(a)(30)*	Possession with intent to deliver-marijuana (<1 lb.)	F	3	2
(a)(30)*	Possession with intent to deliver-marijuana (<10 plants)	F	3	2
(a)(30)*	Possession with intent to deliver-Sched I (>=100 g)	F	7	2
(a)(30)*	Possession with intent to deliver-Sched I (<100 g)	F	5	2
(a)(30)*	Possession with intent to deliver-Sched II	F	5	2
(a)(30)*	Possession with intent to deliver-Sched III	F	5	2
(a)(30)*	Possession with intent to deliver-Sched IV	F	5	2
(a)(30)*	Possession with intent to deliver-Sched V	M	3	m
(a)(31)	Possession-small amt. of marijuana (<=30 g/<=8 g hashish)	M	1	m
(a)(31)	Possession-small amt. of marijuana (<=30 g/<=8 g hashish): personal use	M	1	m
(a)(31)	Possession-small amt. of marijuana (<=30 g/<=8 g hashish): intent to distribute, not sell	M	1	m
(a)(31)	Possession-small amt. of marijuana (<=30 g/<=8 g hashish): distribution, not sale	M	1	m
(a)(32)	Possession-drug paraphernalia	M	1	m
(a)(33)	Possession w/ intent to deliver paraphernalia-under 18/3 yrs or more junior	M-2	4	m
(a)(33)	Possession w/ intent to deliver paraphernalia-not to a minor	M	3	m
(a)(34)	Place ad for sale of drug paraphernalia	M	1	m
(a)(34)	Place ad for sale of drug paraphernalia-GHB	F	5	2
(a)(35)(i)	Illegal sale of noncontrolled substance-intent to distribute	F	5	2
(a)(35)(ii)	Illegal sale of noncontrolled substance-represent as controlled substance	F	5	2
(a)(35)(iii)	Illegal sale of noncontrolled substance-distribute for redistribution	F	5	2
(a)(36)	Possession w/ intent to deliver-designer drugs	F	5	2
(a)(37)	Possession >30 doses-anabolic steroid (1st off)	M	4	m
(a)(37)	Possession >30 doses-anabolic steroid (2nd/subsq off)	M	4	m

<i>35 Pa.C.S. § 780-113</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
(a)(38)(II)	Unlawful manufacture-methamphetamine (BI of child <18)	F-2	9	2
(a)(38)(I)	Unlawful manufacture-methamphetamine (child <18 present)	F-3	7	1
(a)(39)	Possess ephedrine, etc. w/ intent to manuf. methamphetamine (1st off)	M	2	m
(a)(39)	Possess ephedrine, etc. w/ intent to manuf. methamphetamine (2nd/subsq off)	M	2	m
(a)(40)	Retail sale-product containing ephedrine, etc. (1st off)	M	2	m
(a)(40)	Retail sale-product containing ephedrine, etc. (2nd/subsq off)	M	2	m

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

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

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

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

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

<i>35 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
	Negligently releases hazardous air pollution	M-3	1	m

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

JUDICIAL CODE

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

VEHICLE LAW OFFENSES

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

<i>75 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
3732(a)*	Homicide by vehicle-w/DUI conviction & active work zone	F-3 ¹	10	1
3732(a)*	Homicide by vehicle-w/DUI conviction & conviction for 75-3316/75-3325/75-3327	F-3 ¹	10	1
3732(a)*	Homicide by vehicle-w/ DUI conviction	F-3	8	1
3732(a)*	Homicide by vehicle-active work zone	F-3 ¹	8	1
3732(a)*	Homicide by vehicle-w/ conviction for 75-3316/75-3325/75-3327	F-3 ¹	8	1
3732(a)*	Homicide by vehicle	F-3	6	1
3732.1(a)*	Aggravated assault by vehicle-w/ DUI conviction & active work zone	F-3 ²	9	1
3732.1(a)*	Aggravated assault by vehicle-w/ DUI conviction & conviction for 75-3316/75-3325/75-3327	F-3 ²	9	1
3732.1(a)*	Aggravated assault by vehicle-w/ DUI conviction	F-3	7	1
3732.1(a)*	Aggravated assault by vehicle-active work zone	F-3 ²	7	1
3732.1(a)*	Aggravated assault by vehicle-w/ conviction for 75-3316/75-3325/75-3327	F-3 ²	7	1
3732.1(a)*	Aggravated assault by vehicle	F-3	5	1
3733(a)	Fleeing or eluding police officer	M-2	2	m
3733(a)	Fleeing or eluding police officer-with DUI/cross state line/high-speed chase	F-3	5	1
3735(a)	Homicide by vehicle while DUI	F-2	10	2
3735.1(a)	Aggravated assault by vehicle while DUI	F-2	9	2
3742(a)	Accident involving death/personal injury-failure to stop (death)	F-2	9	2
3742(a)	Accident involving death/personal injury-failure to stop (SBI)	F-3	5	1
3742(a)	Accident involving death/personal injury-failure to stop (injury)	M-1	3	m
3742.1(a)	Accident involving death/personal injury-not properly licensed (death)	F-3	6	1
3742.1(a)	Accident involving death/personal injury-not properly licensed (SBI)	F-3	5	1
3742.1(a)	Accident involving death/personal injury-not properly licensed	M-2	2	m
3743(a)	Accident involving damage to attended vehicle or property	M-3	1	m
3802	Driving under the influence of alcohol or controlled substance (DUI) (See mandatory provisions § 303.9(i))			§ 303.7(a)
3802(a)(1)	DUI-general impairment/incapable of safe driving (1st off)	M	1	m
3802(a)(1)	DUI-general impairment/incapable of safe driving (2nd off)	M	1	1
3802(a)(1)	DUI-general impairment/incapable of safe driving (3rd/subsq off)	M-2	3	1
3802(a)(1)	DUI-general impairment/incapable of safe driving (minor occupant)	M-1	5	1
3802(a)(1)	DUI-incapable of safe driving: refused testing (1st off)	M	1	m
3802(a)(1)	DUI-incapable of safe driving: refused testing (2nd off)	M-1	5	1

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

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

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

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

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

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

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

OMNIBUS ASSIGNMENTS

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

§ 303.16(a). Basic Sentencing Matrix.

Level	OGS	Example Offenses	Prior Record Score								AGG/ MIT
			0	1	2	3	4	5	RFEL	REVOC	
LEVEL 5 State Incar	14	Murder 3 Inchoate Murder (SBI) Rape (victim <13 yrs)	72-SL	84-SL	96-SL	120-SL	168-SL	192-SL	204-SL	SL	~/-12
	13	Inchoate Murder (No SBI) Weapons Mass Destr-Use PWID Cocaine (>1,000 g)	60-78	66-84	72-90	78-96	84-102	96-114	108-126	240	+/- 12
	12	Rape-Forcible Compulsion IDSI-Forcible Compulsion Robbery-Inflicts SBI	48-66	54-72	60-78	66-84	72-90	84-102	96-114	120	+/- 12
	11	Agg Asslt-Cause SBI Voluntary Manslaughter Sexual Assault PWID Cocaine (100-1,000 g)	36-54 BC	42-60	48-66	54-72	60-78	72-90	84-102	120	+/- 12
	10	Kidnapping Agg Indecent Assault F2 Arson-Person in Building Hom by Vehicle-DUI & Work Zone PWID Cocaine (50-<100 g)	22-36 BC	30-42 BC	36-48 BC	42-54	48-60	60-72	72-84	120	+/- 12
	9	Sexual Exploitation of Children Robbery-Commit/Threat F1/F2 Burglary-Home/Person Present Arson-No Person in Building	12-24 BC	18-30 BC	24-36 BC	30-42 BC	36-48 BC	48-60	60-72	120	+/- 12
LEVEL 4 State Incar/ RIP trade	8 (F1)	Agg Assault-Attempt/ Cause BI w/DW Theft (Firearm) Identity theft (3rd/+ & Vic>=60 yrs) Hom by Veh-DUI or Work Zone) Theft [(>\$100,000)] (>=\$500,000) PWID Cocaine (10-<50 g)	9-16 BC	12-18 BC	15-21 BC	18-24 BC	21-27 BC	27-33 BC	40-52	NA	+/- 9

Level	OGS	Example Offenses	Prior Record Score								AGG/ MIT
			0	1	2	3	4	5	RFEL	REVOC	
LEVEL 3 State/ Cnty Incar RIP trade	7 (F2)	Robbery-Inflicts/Threatens BI Burglary-Home/No Person Present [Statutory Sexual] Assault by Prisoner Theft [(>\$50,000- \$100,000)] (\$100,000- <\$500,000) Identity Theft (3rd/subq) PWID Cocaine (5-<10 g)	6-14 BC	9-16 BC	12-18 BC	15-21 BC	18-24 BC	24-30 BC	35-45 BC	NA	+/- 6
	6	Agg Asslt-Cause Fear of SBI Homicide by Vehicle Burglary-Not a Home/Person Prsnt Theft [(>\$25,000- \$50,000)] (>\$25,000- <\$100,000) Arson-Endanger Property PWID Cocaine (2<5 g)	3-12 BC	6-14 BC	9-16 BC	12-18 BC	15-21 BC	21-27 BC	27-40 BC	NA	+/- 6
LEVEL 2 Cnty Incar RIP RS	5 (F3)	Burglary F2 Theft (>\$2000-\$25,000) [Bribery] DUI (M1) PWID Marij (1<10 lbs)	RS-9	1-12 BC	3-14 BC	6-16 BC	9-16 BC	12-18 BC	24-36 BC	NA	+/-3
	4	Indecent Assault M2 Forgery (Money, Stocks) Weapon on School Property Crim Trespass F2	RS-3	RS-9	RS-<12	3-14 BC	6-16 BC	9-16 BC	21-30 BC	NA	+/-3
	3 (M1)	Simple Assault-Attempt/Cause BI Theft (\$200-\$2000) Carrying Explosives Simple Possession	RS-1	RS-6	RS-9	RS-<12	3-14 BC	6-16 BC	12-18 BC	NA	+/-3
LEVEL 1 RS	2 (M2)	Theft (\$50-<\$200) Retail Theft (1st/2nd Offense) Bad Checks (\$500-<\$1,000)	RS	RS-2	RS-3	RS-4	RS-6	1-9	6-<12	NA	+/-3
	1 (M3)	Most Misd. 3's; Theft (<\$50) [DUI (M)] Disorderly Conduct Poss Small Amount Marij	RS	RS-1	RS-2	RS-3	RS-4	RS-6	3-6	NA	+/-3

1. Designated areas of the matrix indicate restrictive intermediate punishments may be imposed as a substitute for incarceration.

2. When restrictive intermediate punishments are appropriate, the duration of the restrictive intermediate punishment programs are recommended not to exceed the guideline ranges.

3. When the range is RS through a number of months (e.g. RS-6), RIP may be appropriate.

4. All numbers in sentence recommendations suggest months of minimum confinement pursuant to 42 Pa.C.S. 9755(b) and 9756(b).

5. Statutory classification (e.g., F1, F2, etc.) in brackets reflect the omnibus OGS assignment for the given grade.

Key:

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

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

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

1. Murder of the 1st Degree also includes 1st Degree Murder of Unborn Child and 1st Degree Murder of Law Enforcement Officer
2. Murder of the 2nd Degree also includes 2nd Degree Murder of Unborn Child and 2nd Degree Murder of Law Enforcement Officer
3. LWOP = Life without Parole
4. The Offense Gravity Score (OGS) of 15 is assigned only for Murder 1 and Murder 2 when committed by offenders under age 18.
5. Commonwealth must provide reasonable notice to offender of its intention to seek a sentence of life imprisonment without parole for Murder of 1st Degree (18 Pa.C.S. § 1102.1(b)).
6. A mitigated sentence cannot be less than the mandatory minimum sentence established in statute (18 Pa.C.S. § 1102.1)

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

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

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

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

Level	OGS	Deadly Weapon	Prior Record Score								
			0	1	2	3	4	5	RFEL	REVOC	AGG/MIT
Level 5	14	Used	90-SL	102-SL	114-SL	138-SL	186-SL	210-SL	222-SL	SL	~/- 12
	13	Used	78-96	84-102	90-108	96-114	102-120	114-132	126-144	240	+/-12
	12	Used	66-84	72-90	78-96	84-102	90-108	102-120	114-132	120	+/-12
	11	Used	54-72	60-78	66-84	72-90	78-96	90-108	102-120	120	+/-12
	10	Used	40-54	48-60	54-66	60-72	66-78	78-90	90-102	120	+/-12
	9	Used	30-42	36-48	42-54	48-60	54-66	66-78	78-90	120	+/-12
Level 4	8	Used	21-28	24-30	27-33	30-36	33-39	39-45	52-64	NA	+/-9
	7	Used	18-26	21-28	24-30	27-33	30-36	36-42	47-57	NA	+/-6
	6	Used	15-24	18-26	21-28	24-30	27-33	33-39	39-52	NA	+/-6
	5	Used	12-21	13-24	15-26	18-28	21-28	24-30	36-48	NA	+/-3
Level 3	4	Used	6-9	6-15	6-<18	9-20	12-22	15-22	27-36	NA	+/-3
	3	Used	6-7	6-12	6-15	6-<18	9-20	12-22	18-24	NA	+/-3
	2	Used	6-6	6-8	6-9	6-10	6-12	7-15	12-<18	NA	+/-3
	1	Used	6-6	6-7	6-8	6-9	6-10	6-12	9-12	NA	+/-3

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

§ 303.18(a). Youth Enhancement Matrix.

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

Level	OGS	Prior Record Score								Agg/Mit
		0	1	2	3	4	5	RFEL	REVOC	
3	6	9-24	12-26	15-28	18-30	21-33	27-39	33-52	NA	+/-6
	5	6-21	7-24	9-26	12-28	15-28	18-30	30-48	NA	+/-3
	4	6-15	6-21	6-<24	9-26	12-28	15-28	27-42	NA	+/-3
	3	6-13	6-18	6-21	6-<24	9-26	12-28	18-30	NA	+/-3

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

§ 303.18(b). School Enhancement Matrix.

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

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

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

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

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

Commentary on Annex B

This Commentary provides information on the development by the Commission of a proposed Sentence Risk Assessment Instrument for use by the sentencing court to help determine the appropriate sentence within the limits established by law. The proposed Sentence Risk Assessment Instrument, including preliminary risk scales and recidivism rates, is set forth in Annex B.

Risk Assessment Mandate

The Commission has a legislative mandate to adopt a risk assessment instrument to serve as an aide in the sentencing process. To fulfill this mandate, the Commission developed an actuarial risk assessment which will be automatically generated by SGS Web, the Commission's JNET-based sentencing application. During the initial phase of implementation, the risk assessment will be prepared for non-DUI offenders being sentenced following an open plea or trial. For those offenders who are identified as high or low risk by the sentence risk assessment, the Commission recommends, but does not require, that the court seek additional information in the form of a pre-sentence investigation (PSI) report or a fuller risk-needs assessment. Thus, the risk assessment does not make any recommendation regarding the sentence to be imposed. Instead, the assessment is incorporated as an informational tool that targets individuals with risk profiles that are higher or lower than average.

Since these individuals are not typical offenders with respect to their risk of reoffending, the court will likely benefit from seeking additional information prior to imposing the sentence. During subsequent phases, the risk assessment will be prepared for those offenders sentenced following negotiated pleas as well as for DUI offenders.

What is Risk Assessment?

A Sentence Risk Assessment Instrument is defined in the legislation as an empirically based worksheet which uses factors that are relevant in predicting recidivism. A risk assessment instrument is often identified with a specific 'generation' of development. First generation assessments were based on training and experience, generally referred to as professional judgement. Subsequent generations were based on actuarial data, focusing on the analysis of factors associated with an increased risk of reoffending. Second generation assessments (risk assessments) rely on static criminal justice and demographic factors, while third generation (risk-needs assessments) include dynamic factors and changing circumstances, such as relationships, employment, and substance abuse. Fourth generation assessments (risk-needs-responsivity assessments or RNR) integrate case management. Based on the legislative mandate and the need for a statewide instrument that could provide reliable and accurate sentence risk information to the court, the Commission developed a second generation

instrument, with a Sentence Risk Assessment Summary automatically generated through SGS Web when preparing the sentencing guidelines.

What Information is Considered in the Sentence Risk Assessment Instrument?

The Sentence Risk Assessment Instrument includes 18 different risk scales, each taking into account the seriousness of the current conviction as well as the type of potential re-offense. Nine OGS categories, linked to the sentencing guidelines' offense gravity scores (OGS), are used to weigh the seriousness of the current conviction, so that each risk scale assesses comparable offenders. Two outcome measures are then considered: risk of a re-offense for any type of crime and risk of a re-offense for a crime against a person.¹ In all cases, the Sentence Risk Assessment Instrument measures the risk of re-offense within three years of release from incarceration or imposition of community supervision. In order to provide information on the relative risk that an offender will reoffend, the risk scores of all offenders in each offense category are compared, and only those scores outside the middle 68% (typical risk) are identified as high or low risk.

The Sentence Risk Assessment Instrument considers eight static or demographic factors, although not every factor is included in each of the 18 risk scales. Risk factors and scales are based on the most serious offense of a judicial proceeding. Only those factors determined to be statistically significant in relation to risk of re-offense for a specific offense category are included in the corresponding risk scale. The following factors are considered:

- Offender (age)
- Offender (gender)
- Prior Arrests (number of OTNs bound over for trial or resulting in conviction by a minor court)
- Prior Arrests (offense types)²
- Current Conviction (offense type)
- Current Conviction (multiple offenses in judicial proceeding)
- Current Sentencing Guidelines (prior record score)
- Current Sentencing Guidelines (prior juvenile adjudications)

The information used to generate these scales is obtained from the Administrative Office of Pennsylvania Courts and through the Commission's SGS Web application.

Additional information on the development and validation of the Sentence Risk Assessment Instrument may be requested from the Commission of found at: <http://pcs.la.psu.edu/publications-and-research/research-and-evaluation-reports/risk-assessment>.

The risk scales and recidivism rates included with the Sentence Risk Assessment Instrument use Pennsylvania arrests obtained from the Administrative Office of Pennsylvania Courts. The Commission is re-analyzing these data to remove any arrests dismissed by a minor court. Upon completion, the Commission will publish revised risk scales and recidivism rates and hold a public hearing

¹ An offense against a person is defined as a crime of violence under 42 Pa.C.S. § 9714; an offense under the Crime Victims Act (18 P.S. § 11.103); or an offense defined as a danger to persons under Title 18, Article B.

² Offense types include: murder, danger to person (felonies/misdemeanors), sexual (felonies/misdemeanors), burglary, property (felonies/misdemeanors), public administration, public order, firearms, other weapons, drug (felonies/misdemeanors), DUI, vehicle, abscond, domestic, and other.

to receive comment before final adoption of the Sentence Risk Assessment Instrument.

How is the Sentence Risk Assessment Instrument Used?

Threat to public safety is an important consideration in the sentencing guidelines and is demonstrated through the linking of sentence recommendations to the seriousness of the conviction as well as an offender's criminal history and criminal behavior. The sentence risk assessment score or category is not intended to be used by the court as an aggravating or mitigating factor per se. Rather, consistent with the legislation, the Commission recommends the Sentence Risk Assessment Instrument be used to determine when the court should order a PSI report and/or a RNA or RNR assessment. Additional information may assist the court in determining an appropriate and individualized sentence, including the suitability of various sentencing alternatives and programs and the duration and intensity of supervision.

The recommendation for additional information should apply to offenders determined to be in one of the following risk categories: high risk of re-offense for any crime or for a crime against a person; or low risk of re-offense for any crime or for a crime against a person. This targeting of cases for additional information is consistent with the core principles of offender risk management: match the level of service to the offender's risk to re-offend; assess criminogenic needs and target them in treatment; and structure the sentence to address the learning style, motivation, abilities and strengths of the offender.

It is also consistent with the Rules of Criminal Procedure: "the pre-sentence investigation report shall include information regarding the circumstances of the offense and the character of the defendant sufficient to assist the judge in determining sentence" (Pa.R.Crim.P. Rule 702(A)(3)). The Pennsylvania Superior Court held: "Having been fully informed by the pre-sentence report, the sentencing court's discretion should not be disturbed. This is particularly true in those circumstances where it can be demonstrated that the judge had any degree of awareness of the sentencing considerations, and there the court will presume also that the weighting process took place in a meaningful fashion." (*Com. v. Best*, 120 A.3d 329)

A Phased Implementation Plan

Considering the difficulties of adding a new procedure to an existing process, and the resources that may be required to prepare additional information prior to sentencing, the Commission has adopted a multi-phase approach.

The Commission has scheduled five public hearings to receive comment on the instrument as designed and the implementation plan. The hearing dates and locations are listed in the introduction to this publication. The proposed Sentence Risk Assessment Instrument is set forth in Annex B, including risk scales and recidivism rates found at § 305.6(a) and (b) and § 305.7(a) and (b). The Commission will publish revised risk scales and recidivism rates and hold a public hearing to receive comment before final adoption of the Sentence Risk Assessment Instrument. Upon final adoption, unless rejected by concurrent resolution of the General Assembly, the Sentence Risk Assessment Instrument will take effect. As proposed in this document, the Sentence Risk Assessment Instrument will apply to sentences imposed on or after July 1, 2018, but during the initial phase will be limited to non-DUI offenders with convictions obtained through an open plea or following a bench or jury trial.

- Phase I (2018)
 - Limited to non-DUI offenders with convictions obtained: 1) through an open plea or 2) following a bench or jury trial.
 - Requires review of SGS Web-generated Sentence Risk Assessment Summary.
 - Recommends preparation of additional information (PSI report and/or 3rd or 4th generation risk assessment) for those offenders determined to be high risk or low risk.
- Phase II (to be determined)
 - Expands Phase I process to include all other convictions.

Annex B

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART VIII. CRIMINAL SENTENCING

CHAPTER 305. SENTENCE RISK ASSESSMENT INSTRUMENT

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

Sec.	
305.1.	Preliminary provisions.
305.2.	Sentence Risk Assessment Instrument methodology.
305.3.	Sentence Risk Assessment Instrument standards.
305.4.	Sentence Risk Assessment Instrument procedures.
305.5.	Sentence Risk Assessment Instrument recommendation—general.
305.6.	Offense types. Classification of prior arrests and current convictions, including inchoates.
305.7(a).	Risk Scales by Offense Gravity Score (OGS); Risk of Re-Offense for Any Type of Crime (Preliminary).
305.7(b).	Risk Scales by Offense Gravity Score (OGS); Risk of Re-Offense for A Crime Against a Person (Preliminary).
305.8(a).	Recidivism Rates by Risk Score and Offense Gravity Score (OGS); Risk of Re-Offense for Any Crime (Preliminary).
305.8(b).	Recidivism Rates by Risk Score and Offense Gravity Score (OGS); Risk of Re-Offense for A Crime Against a Person (Preliminary).
305.9.	Sentence Risk Assessment Summary (Sample).

§ 305.1. Preliminary provisions.

(a) *Authorization.*

(1) As authorized by 42 Pa.C.S. § 2154.7 (relating to adoption of risk assessment instrument), the Commission shall adopt a Sentence Risk Assessment Instrument for the sentencing court to use to help determine the appropriate sentence within the limits established by law for defendants who plead guilty or nolo contendere to, or who were found guilty of, felonies and misdemeanors.

(2) The Sentence Risk Assessment Instrument may be incorporated into the sentencing guidelines under 42 Pa.C.S. § 2154 (relating to adoption of sentencing guidelines).

(3) The Sentence Risk Assessment Instrument may be used to determine whether a more thorough assessment is necessary and to order a presentence investigation report.

(4) The Sentence Risk Assessment Instrument may be an aide to help determine appropriate candidates for alternative sentencing.

(b) *Definitions.* For the purposes of this chapter:

(1) “Actuarial risk assessment.” A statistical method of estimating the risk of re-offense; the probability of reoffending is related to the proportion of offenders in a risk category who reoffend.

(2) “Arrest.” A charge for a misdemeanor or felony offense in Pennsylvania not dismissed by a minor court. An arrest does not include out-of-state, federal or foreign charges.

(3) “Common Pleas Case Management System (CPCMS).” A web-based application operated by the Administrative Office of Pennsylvania Courts which serves as the source of data for determining number of prior arrests and associated offense type.

(4) “DUI offender.” An offender for whom the most serious offense of the judicial proceeding is DUI. The Sentence Risk Assessment Instrument does not apply if DUI is the most serious offense of the judicial proceeding. The Sentence Risk Assessment Instrument does apply if DUI is an offense other than the most serious offense in the judicial proceeding.

(5) “Judicial proceeding.” A sentencing hearing in which all offenses for which the offender is convicted are pending before the court for sentencing at the same time. A judicial proceeding may include multiple OTNs.

(6) “Magisterial District Judge System (MDJS).” A web-based application operated by the Administrative Office of Pennsylvania Courts which serves as the source of data for determining minor court disposition of misdemeanor and felony charges following preliminary arraignment.

(7) “Minor courts.” A court of limited jurisdiction with authority to preside at preliminary arraignments and preliminary hearings, dismiss complaints, conduct trials and/or accept guilty pleas for misdemeanors, and hold cases for trial in the courts of common pleas. This includes Philadelphia Municipal Court and Magisterial District Judges.

(8) “Negotiated plea.” An agreement to the sentence, including an agreement which limits the discretion of the judge when sentencing.

(9) “Offense against a person.” An offense involving a crime of violence under 42 Pa.C.S. § 9714, an offense under the Crime Victims Act (18 P.S. § 11.103), or an offense defined as a danger to persons under Title 18, Article B.

(10) “Offense gravity score (OGS).” An assignment in the sentencing guidelines reflecting the seriousness of a conviction offense. The OGS assigned to the most serious offense in the judicial proceeding (and if more than one, then the offense with the longest statutory maximum, then the most recent arrest date, and then the offense entered first in SGS Web) is used to determine the risk factors and associated values to be included in the risk scales.

(11) “Offense tracking number (OTN).” A unique identifying number assigned to an entire set of charges for an arrest. An OTN is generally assigned by the court at the time of arraignment.

(12) “Offense types.” The classification of prior arrests and current convictions, including inchoates, as provided follows:

- i. Murder;
- ii. Danger to person:
 1. felonies;
 2. misdemeanors;
- iii. Sexual:
 1. felonies;
 2. misdemeanors;

- iv. Burglary;
- v. Property;
 - 1. felonies;
 - 2. misdemeanors;
- vi. Public administration;
- vii. Public order;
- viii. Firearms;
- ix. Other weapons;
- x. Drug;
 - 1. felonies;
 - 2. misdemeanors;
- xi. DUI;
- xii. Vehicle;
- xiii. Abscond;
- xiv. Domestic;
- xv. Other.

A detailed description of the offense types is located at § 305.6.

(13) "Open plea." An agreement to plead guilty to one or more charged offenses without any agreement to the sentence.

(14) "Pre-sentence investigation (PSI) report." A report, authorized by the Rules of Criminal Procedure (Pa.R.Crim.P. Rules 702-703), that includes information regarding the circumstances of the offense and the character of the defendant sufficient to assist the judge in determining sentence.

(15) "Recidivism." A re-offense, defined as a re-arrest for a felony or misdemeanor in Pennsylvania within three years of the imposition of a sentence to the community or within three years of release from confinement. Re-arrest does not include out-of-state, federal or foreign charges. A re-arrest dismissed by a minor court is excluded.

(16) "Risk assessment instrument." An empirically based worksheet which uses factors that are relevant in predicting recidivism. A risk assessment instrument is often identified with a specific 'generation' of development:

i. *1st generation.* "Professional judgement," with assessments based on training and experience;

ii. *2nd generation.* "Risk assessment," an actuarial assessment of static criminal justice and demographic factors used to estimate risk of re-offense;

iii. *3rd generation.* "Risk-needs assessment (RNA)," an actuarial assessment of static and dynamic factors and changing circumstances, such as relationships, employment, and substance abuse, used to estimate risk of re-offense and to assess criminogenic needs to be addressed through treatment and supervision;

iv. *4th generation.* "Risk-needs-responsivity (RNR) assessment," an actuarial assessment of static and dynamic factors used to match the level of service to the offender's risk to re-offend; assess criminogenic needs and target them in treatment; and structure the sentence to address the learning style, motivation, abilities and strengths of the offender.

(17) "Risk category." The relative risk of re-offense as compared to other offenders in the same OGS category, based on the Sentence Risk Assessment Instrument:

i. "Typical risk offender." For each risk scale, an offender with a risk score within one standard deviation above and below the mean (average) risk score who shares characteristics with offenders at typical risk of re-offense. This is the middle 68% of offenders, and is represented by a box in the graphics contained in the Sentence Risk Assessment Summary.

ii. "Low risk offender." An offender with a risk score greater than one standard deviation below the mean who shares characteristics with offenders at lower risk of re-offense;

iii. "High risk offender." An offender with a risk score greater than one standard deviation above the mean who shares characteristics with offenders at higher risk of re-offense.

(18) "Risk factors." The variables obtained from AOPC or Commission data and determined to be statistically significant in relation to risk of re-offense. Risk factors selected by the Commission and included in the Sentence Risk Assessment Instrument include:

i. "Age." The age of the offender calculated using date of birth as reported on guideline sentence form and the date the case was bound over for trial.

ii. "Gender." The sex of the offender reported on the guideline sentence form.

iii. "Prior arrest." The number of unique OTNs associated with arrests occurring before the date of the current offense, with data provided by AOPC. Only OTNs having a felony or misdemeanor bound over for trial or resulting in a finding of guilt by a minor court are included. Arrests dismissed by a minor court, juvenile arrests, and out-of-state, federal and foreign arrests, are not included.

iv. "Prior arrest offense type." Based on prior arrest data provided by AOPC, all offense types identified for any felony or misdemeanor charges bound over for trial or resulting in a finding of guilt by a minor court.

v. "Current conviction offense type." Based on Commission data, the offense type of the most serious offense of the judicial proceeding.

vi. "Multiple current convictions." Based on Commission data, the total number of conviction offenses in the current judicial proceeding.

vii. "Prior record score (PRS)." An assignment in the sentencing guidelines reflecting the number and seriousness of prior convictions and juvenile adjudications. Based on Commission data, the PRS calculated for the most serious offense of the judicial proceeding is used in the risk scales.

viii. "Prior juvenile adjudication." Based on Commission data, any juvenile adjudication included in the prior record score for the judicial proceeding is used in the risk scales.

(19) "Risk scales." Measures of the outcomes derived from statistical models used to determine the relative risk to re-offend based on identified factors. The development of 18 separate risk scales provides relative comparison of risk by OGS and outcome measure.

(20) "Sentencing Guidelines Software Web Application (SGS Web)." A JNET-based application operated by the Commission which includes the modules for Sentencing Guidelines and for the Sentence Risk Assessment Instrument. SGS Web serves as the source of data for determining an offender's age, gender, current offense type, prior record score, multiple current convictions and juvenile

adjudication, as well as determining the most serious offense of a judicial proceeding.

(21) "Sentence Risk Assessment Summary." A report, generated through SGS Web, that provides information on an offender's relative risk of re-offense and identifies high risk and low risk offenders for whom the preparation of additional information is recommended.

§ 305.2. Sentence Risk Assessment Instrument methodology.

(a) *Development and validation.*

(1) The Commission conducted two studies using two large samples: offenders sentenced during 1998—2000 (n=101,498) to allow for a three-year tracking period for those sentenced to prison for a lengthy period of time; and offenders sentenced during 2004—2006 (n=131,055) to provide a more recent time period as well as improvements in data quality. Additional information on the development and validation of the Sentence Risk Assessment Instrument is available from the Commission.

(2) The Commission developed risk scales for all offenders, except those with DUI as the most serious offense of the judicial proceeding. Rather than develop one risk scale, risk scales were developed for nine OGS categories (OGS 1 through OGS 8, and a collapsed OGS 9-14). This decision was made for the following reasons:

- i. the large difference in the number of offenders by OGS;
- ii. the difference in the recidivism rates by OGS, which was a non-linear relationship;
- iii. the difference in the type of offense by OGS; and
- iv. the use of OGS risk scales controlled somewhat for the seriousness of the current offense.

(3) In developing the risk scales, the following analyses were conducted:

- i. bivariate analyses to determine which factors were related to recidivism;
- ii. multivariate logistic regression to determine which factors best predicted recidivism while holding all factors constant;
- iii. rotation of all categories for factors that were multi-categorical to ensure that reported differences were real and not due to particular comparison category;
- iv. Receiver Operating Characteristic (ROC) analysis, which plots the true positive rate (i.e., how many people were predicted to recidivate and did recidivate) against the false positive rate (i.e., how many people were predicted to recidivate but did not recidivate);
- v. block testing analysis, adding one factor at a time, to determine how well the scale performed with and without a certain factor;
- vi. comparison of how well the OGS-specific scales performed compared to the full sample scale; and
- vii. validation of the final scales with both samples.

(b) *Risk factors and scales—general.*

(1) Based upon the analyses conducted by the Commission, the following factors were found to be predictive of recidivism, and thus, used in the risk assessment scales:

- i. age;
- ii. gender;
- iii. prior arrest;

- iv. prior arrest offense type;
- v. current conviction offense;
- vi. multiple current convictions;
- vii. prior record score;
- viii. prior juvenile adjudication.

(2) For each of the OGS risk categories, two scales were developed and validated:

- i. risk of re-offense for any offense;
- ii. risk of re-offense for an offense against a person.

(3) Preliminary risk scales for risk of re-offense for any offense are located at § 305.7(a). Preliminary risk scales for risk of re-offense for an offense against a person are located at § 305.7(b).

(c) *Recidivism rates—general.*

(1) The Sentence Risk Assessment Instrument provides the probability of re-offense based on the proportion of offenders in the development and validation samples who re-offended. Offenders identified as high risk or low risk were found to be significantly different in risk of re-offense than the typical offender in the same OGS category.

(2) Preliminary recidivism rates by risk score and OGS for risk of re-offense for any offense are located at § 305.8(a). Preliminary recidivism rates by risk score and OGS for risk of re-offense for an offense against a person are located at § 305.8(b).

§ 305.3. Sentence Risk Assessment Instrument standards.

(a) The court shall consider the Sentence Risk Assessment Instrument in determining the appropriate sentence for non-DUI offenders with open pleas to, or who were found guilty following a bench or jury trial of, felonies and misdemeanors.

(b) The Sentence Risk Assessment Instrument does 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; negotiated pleas; or revocation of probation, intermediate punishment or parole.

(c) The Sentence Risk Assessment Instrument shall apply to all sentences imposed on or after July 1, 2018. Amendments to the Sentence Risk Assessment Instrument shall apply to all sentences imposed on or after the effective date of the amendment.

(d) A Sentence Risk Assessment Summary shall be generated and reviewed by the court for every judicial proceeding in which a conviction for felonies and misdemeanors is obtained through an open plea or following a bench or jury trial, except when DUI is the most serious conviction offense of the judicial proceeding.

(e) In every case in which a court of record imposes a sentence for a felony or misdemeanor, and a Sentence Risk Assessment Summary is required to be considered, the court shall make as a part of the record, and disclose in open court at the time of the sentencing, the offender's risk category. In every case in which an offender is identified as high risk or low risk, the court shall record on the guideline sentence form whether the court ordered a PSI report including risk-needs-responsivity information to be prepared or whether the court ordered an RNA or RNR assessment to be completed. This information

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

(f) 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 generate a Sentence Risk Assessment Summary. The Sentence Risk Assessment Summary shall be made part of the record and electronically submitted to the Commission via SGS Web no later than 30 days after the date of sentencing.

§ 305.4. Sentence Risk Assessment Instrument procedures.

(a) For each judicial proceeding, the procedure for generating a Sentence Risk Assessment Summary using the SGS Web-based Sentence Risk Assessment Instrument shall be as follows:

(1) Prepare guideline sentence forms using SGS Web as required by § 303.1(e):

- i. create a Judicial Proceeding;
- ii. complete the Prior Record Score module;
- iii. complete the Offense module, including all offenses for which the offender has been convicted and are pending before the court for sentencing at the same time;
- iv. upon completion of the Offense module, a Sentence Risk Assessment Summary may be requested.

(2) For judicial proceedings involving a non-DUI offender with an open plea or who was found guilty following a bench or jury trial:

- i. use SGS Web to submit a request for a Sentence Risk Assessment Summary, which will be generated automatically through an overnight process and available through SGS Web to the user;
- ii. confirm that the OGS used in the risk scales is the same as the OGS for the most serious offense of the judicial proceeding;

iii. confirm that the risk categories identified in the Sentence Risk Assessment Summary match the risk categories identified on the guideline sentence forms.

§ 305.5. Sentence Risk Assessment Instrument recommendation—general.

(a) The risk score for the offender and the associated risk category is calculated based on the most serious conviction offense in the judicial proceeding. The Sentence Risk Assessment Summary provides information on the risk of the offender relative to other offenders in the same OGS category.

(b) *Typical risk offenders.* For offenders who are identified as typical risk, the Commission makes no additional recommendation. The risk category is included on the guideline sentence form which is required to be submitted to the Commission via SGS Web within 30 days of sentence.

(c) *High risk or low risk offenders.* For offenders who are identified as high risk or low risk, the Commission recommends the court obtain additional information prior to sentencing. This includes the ordering of a PSI report that contains risk-needs-responsivity information, or the preparation of a RNA or RNR assessment. Any order related to this recommendation shall be recorded on the guideline sentence form and submitted to the Commission via SGS Web within 30 days of sentence.

(d) The sentence risk assessment score or category is not intended to be used by the court as an aggravating or mitigating factor. Additional information obtained through a PSI report or an RNA or RNR assessment may assist the court in determining an appropriate and individualized sentence, including the suitability of various sentencing alternatives and programs as well as the duration and intensity of supervision.

(e) An example of a Sentence Risk Assessment Summary is located at § 305.9.

§ 305.6. Offense types. Classification of prior arrests and current convictions, including inchoates.

Type	Title	Chapter	Description
Murder	18	25 Misc.	Criminal Homicide - Murder 1, Murder 2, Murder 3
Danger to Person - felony and misdemeanor	18	25 Misc. 26 27 29 30 32 33 Misc. 35 Misc. 37 43 47 Misc. 49 Misc. 63 Misc. 75 Misc.	Criminal Homicide Crimes Against Unborn Child Assault Kidnapping Human Trafficking Abortion Arson - Endangering Person - 18 § 3301(a)(1) Burglary - Home/Person - 18 § 3502(a)(1) Robbery Offenses Against the Family Threats - 18 § 4702 Retaliation - 18 § 4703 Intimidation of Witness/Victim - 18 § 4952 Retaliation Against Witness/Victim - 18 § 4953, 18 § 4953.1 Corruption of Minors - 18 § 6301 Homicide by Vehicle - 75 § 3732 Aggravated Assault by Vehicle - 75 § 3732.1 Aggravated Assault by Vehicle While DUI - 75 § 3735.1, Accident Involving Death/Personal Injury - 75 § 3742, 75 § 3742.1 Accident Involving Damage to Attended Vehicle or Property - 75 § 3743
Sexual - felony and misdemeanor	18	31 43 Misc. 49 Misc. 63 Misc.	Sexual Offenses Incest - 18 § 4302 Failure to Register - 18 § 4915, 18 § 4915.1 Sexual Abuse of Children - 18 § 6312 Unlawful Contact/Communication with Minor - 18 § 6318 Sexual Exploitation of Children - 18 § 6320
Burglary	18	35 Misc.	Burglary - 18 § 3502
Property - felony and misdemeanor	18	9 Misc. 33 35 Misc. 39 41 76 77	Manufacture/Etc. Master Key Motor Vehicles - 18 § 909 Manufacture/Etc. Device for Theft of Telecommunications - 18 § 910 Arson, Criminal Mischief, and other Property Destruction Burglary and Other Criminal Intrusion Theft and Related Offenses Forgery and Fraudulent Practices Computer Offenses Vehicle Chop Shop and Illegally Obtained and Altered Property
Public Administration	18	9 Misc. 47 49 51 53	Corrupt Organizations - 18 § 911 Bribery and Corrupt Influence Falsification and Intimidation Obstructing Governmental Operations Abuse of Office
Public Order	18	21 55 57 59	Offenses Against the Flag Riot, Disorderly Conduct, and Related Offenses Wiretapping and Electronic Surveillance Public Indecency
Public Order	18	63 Misc. 65 67 69 71 73	Furnish Cigarettes to minors - 3rd/Subsequent - 18 § 6306 Misrepresentation of Age to Secure Alcohol - 2nd/Subsq. - 18 § 6307 Representing that Minor is of Age - 18 § 6309 Inducement of Minors to Buy Liquor - 18 § 6310 Selling or Furnishing Liquor to Minors - 18 § 6310.1 Manufacture or Sale of False I.D. Card - 18 § 6310.2 Carrying a False ID Card 2nd/subsq - 18 § 6310.3 Tattooing and Body Piercing a Minor - 18 § 6311 Nuisances Proprietary and Official Rights Public Utilities Sports and Amusements Trade and Commerce

THE GENERAL ASSEMBLY

<i>Type</i>	<i>Title</i>	<i>Chapter</i>	<i>Description</i>
		75 Misc.	Architects Interest in Public Works Contracts - 18 § 7503 Appointment of Special Police - 18 § 7504 Invasion of Privacy - 18 § 7507.1 Municipal Housing Code Avoidance - § 7510 Contingent Compensation-Compensate Other - 18 § 7515
Firearms - VUFA	18	61	Firearms and Other Dangerous Articles
Other Weapons	18	Misc. 9	Possessing Instruments of Crime - 18 § 907 Prohibited Offensive Weapons - 18 § 908 Electric Incapacitation Device - 18 § 908.1 Possession of Weapon on School Property - 18 § 912 Possession of Weapon in Court Facility - 18 § 913
		Misc. 63	Sale/Lease of Weapons/Explosives (to Minors) - 18 § 6302 Sale of Starter Pistols (to Minors) - 18 § 6303 Sale/Use of Air Rifles (to Minors) - 18 § 6304
Drug - felony and misdemeanor	18	Misc. 51	Contraband of Controlled Substance - 18 § 5123
		Misc. 63	Solicitation of Minors to Traffic Drugs - 18 § 6319
		Misc. 75	Operate Meth Lab/Cause Chemical Reaction - 18 § 7508, 18 § 7508.2 Furnishing drug-free urine - 18 § 7509 Criminal Use of Communication Facility - 18 § 7512
	35		Controlled Substance, Drug, Device and Cosmetic Act - 35 § 780-113(a)(1) - (a)(39) Liquefied Ammonia Gas - 35 § 780-113.1 Operating a Meth Lab - 35 § 780-113.4
DUI	75	38	Driving After Imbibing Alcohol or Utilizing Drugs
		Misc. 37	DUI - 75 § 3731
Vehicle	75	Misc. 38	Ignition Interlock - 75 § 3808
		71	Vehicle Theft and Related Provisions
		Misc. 37	Abandonment of Vehicles - 75 § 3712 Stripping Abandoned Vehicles - 75 § 3712.2 Fleeing or Eluding Police Office - 75 § 3733
Abscond	19		Fugitive from Justice - 19 § 1912
Domestic	23		Domestic Relations
Other			Miscellaneous Titles & Chapters

§ 305.7(a). Risk Scales by Offense Gravity Score (OGS); Risk of Re-Offense for Any Type of Crime (Preliminary).

Offense Gravity Score	Factors and Points Assigned (Risk of Rearrest for ANY OFFENSE)										Possible Scale Range
	Gender	Age at Sentencing	Current Offense Type	Number of Prior OTNs	Prior Offense Type	Multiple Current Convictions in JP	PRS Greater than 0	Prior Juvenile Adjudications			
9-14	Male	1 <21	4 Burglary	2 >3	3 Drug	1 NA	Yes	1 NA	0 to 13		
	Female	0 21-25	3 Personal; Firearms	1 2-3	2 Property	1	No	0			
		26-29	2 Murder; Sexual; Drug	0 1	1 All Other	0					
		30-49	1	None	0						
		>49	0								
8	Male	1 <21	4 All Other	1 >7	4 NA	NA	Yes	1 NA	0 to 11		
	Female	0 21-25	3 Drug	0 4-7	3		No	0			
		26-39	2 Danger to Person	0 2-3	2						
		40-49	1	1	1						
		>49	0	None	0						
7	Male	1 <21	4 All Other	1 >7	4 Public Order	1 Yes	1 Yes	1 NA	0 to 13		
	Female	0 21-25	3 Sexual	0 4-7	3 All Other	0 No	0 No	0			
		26-39	2	2-3	2						
		40-49	1	1	1						
		>49	0	None	0						
6	Male	1 <21	5 All Other	1 >5	4 Public Admin	1 Yes	1 NA	Yes	0 to 15		
	Female	0 21-25	4 Danger to Person (M)	0 4-5	3 Danger to Person/Sexual	1 No	0	No			
		26-29	3 Sexual	0 2-3	2 All Other	0		Unknown			
		30-39	2	1	1						
		40-49	1	None	0						
	>49	0									
5	Male	1 <21	5 All Other	1 >7	5 Drug	1 Yes	1 Yes	1 Yes	0 to 17		
	Female	0 21-25	4 Danger to Person (M)	0 6-7	4 Public Admin	1 No	0 No	0 No			
		26-29	3 Sexual	0 4-5	3 All Other	0		Unknown			
		30-39	2	2-3	2						
		40-49	1	1	1						
	>49	0	None	0							

Offense Gravity Score	Factors and Points Assigned (Risk of Rearrest for ANY OFFENSE)										Possible Scale Range
	Gender	Age at Sentencing	Current Offense Type	Number of Prior OTNs	Prior Offense Type	Multiple Current Convictions in JP	PRS Greater than 0	Prior Juvenile Adjudications			
4	NA	<21	4 All Other	1 >7	3 Drug	1 Yes	1 NA	NA	0 to 11		
		21-29	3 Sexual	0 2-7	2 Public Admin	1 No	0				
		30-39	2	1	1 All Other	0					
		40-49	1	None	0						
		>49	0								
3	Male	<21	5 Property (F)	1 >7	5 Drug	1 Yes	1 Yes	1 Yes	1 0 to 18		
	Female	21-25	4 All Other	0 6-7	4 Property	1 No	0 No	0 No	0		
		26-29	3	4-5	3 Public Admin	1		Unknown	0		
		30-39	2	2-3	2 All Other	0					
		40-49	1	1	1	1					
2	Male	<21	5 All Other	1 >7	4 Drug	1 NA	NA	NA	0-12		
	Female	21-25	4 Danger to Person	0 4-7	3 All Other	0					
		26-29	3	2-3	2						
		30-39	2	1	1						
		40-49	1	None	0						
1	NA	<21	5 NA	>7	5 Drug	1 NA	NA	Yes	1 0 to 13		
		21-25	4	6-7	4 Public Admin	1		No	0		
		26-29	3	4-5	3 All Other	0		Unknown	0		
		30-39	2	2-3	2						
		40-49	1	1	1						
	>49	0	None	0							

§ 305.7(b). Risk Scales by Offense Gravity Score (OGS); Risk of Re-Offense for A Crime Against a Person (Preliminary).

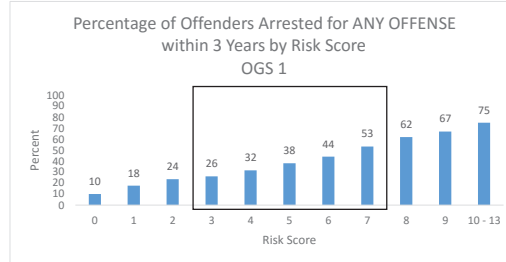
Offense Gravity Score	Factors and Points Assigned (Risk of Rearrest for an OFFENSE AGAINST A PERSON)										Possible Scale Range
	Gender	Age at Sentencing	Current Offense Type	Number of Prior OTNs	Prior Offense Type	Multiple Current Convictions in JP	PRS Greater than 0	Prior Juvenile Adjudications			
9-14	NA	<21	3 All other	1 Yes	1 Public Order	1 NA	NA	NA	0 to 7		
		21-29	2 Murder; Sexual; or	0 No	0 Personal	1					
		30-49	1 Drug	0	0 All other	0					
		>49	0								
8	NA	<21	3 Danger to Person	1 NA	1 Property	1 NA	NA	NA	0 to 5		
		21-29	2 All Other	0	0 All Other	0					
		30-49	1								
		>49	0								
7	NA	<21	3 All Other	1 Yes	1 Danger to Person/Sexual	1 NA	NA	NA	-1 to 7		
		21-29	2 Drug	0 No	0 Public Order	1					
		30-49	1		0 All Other	0					
		>49	0		0 Drug	-1					
6	Male	<21	3 NA	Yes	1 Danger to Person/Sexual	1 NA	NA	NA	0 to 7		
	Female	0 21-29	2	0 No	0 Public Admin	1					
		30-49	1		0 All Other	0					
		>49	0								
5	Male	<21	5 NA	Yes	1 Danger to Person/Sexual	1 NA	NA	NA	0 to 9		
	Female	0 21-25	4	0 No	0 Public Admin	1					
		26-29	3		0 All Other	0					
		30-39	2								
	40-49	1									
	>49	0									
4	Male	<21	3 NA	Yes	1 Danger to Person/Sexual	1 NA	NA	NA	0 to 6		
	Female	0 21-29	2	0 No	0 All Other	0					
		30-49	1								
		>49	0								

Offense Gravity Score	Factors and Points Assigned (Risk of Rearrest for an Offense Against a Person)										Possible Scale Range
	Gender	Age at Sentencing	Current Offense Type	Number of Prior OTNs	Prior Offense Type	Multiple Current Convictions in JP	PRS Greater than 0	Prior Juvenile Adjudications			
3	Male	1 <21	4	Danger to Person	1 >7	3	Danger to Person/Sexual	1 NA	NA	NA	-1 to 12
	Female	0 21-29	3	All Other	0 4-7	2	Public Admin	1			
		30-39	2		2-3	1	Public Order	1			
		40-49	1		0-1	0	All Other	0			
2		>49	0			0	Drug	-1			
	Male	1 <21	4	NA	Yes	1	Danger to Person/Sexual	1	Yes	0 Yes 1 NA	-1 to 10
	Female	0 21-25	3		No	0	Public Order	1	No	1 No 0	
		26-39	2			0	All Other	0			
1		40-49	1			1	Drug	-1			
		>49	0			0					
	Male	1 <21	3	Danger to Person	1 NA	1	Danger to Person/Sexual	1	Yes	1 NA	0 to 9
	Female	0 21-25	2	All Other	0		Public Admin	1	No	0	
	26-39	1			1	Public Order	1				
	>39	0			0	All Other	0				

§ 305.8(a). Recidivism Rates by Risk Score and Offense Gravity Score (OGS); Risk of Re-Offense for Any Crime (Preliminary).

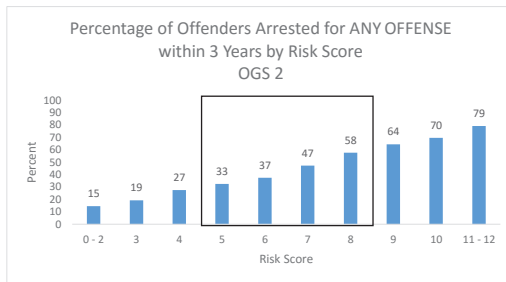
OGS 1 Any Rearrest Frequency All Years Dev and Validation

Score	Total	Clean	Arrest	% Clean	% Arrest
0	358	322	36	89.94	10.06
1	1,190	980	210	82.35	17.65
2	2,543	1,943	600	76.41	23.59
3	3,176	2,347	829	73.90	26.10
4	5,432	3,718	1,714	68.45	31.55
5	5,898	3,650	2,248	61.89	38.11
6	4,312	2,414	1,898	55.98	44.02
7	3,502	1,638	1,864	46.77	53.23
8	2,320	885	1,435	38.15	61.85
9	1,135	375	760	33.04	66.96
10 - 13	498	125	373	25.10	74.90
Total	30,364	18,397	11,967	60.59	39.41



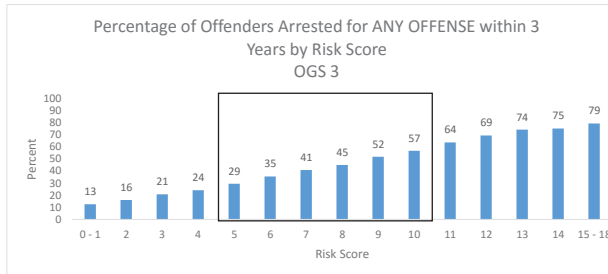
OGS 2 Any Rearrest Frequency All Years Dev and Validation

Score	Total	Clean	Arrest	% Clean	% Arrest
0 - 2	597	510	87	85.43	14.57
3	1,217	983	234	80.77	19.23
4	2,157	1,564	593	72.51	27.49
5	2,934	1,979	955	67.45	32.55
6	4,275	2,674	1,601	62.55	37.45
7	4,862	2,564	2,298	52.74	47.26
8	4,063	1,719	2,344	42.31	57.69
9	2,773	985	1,788	35.52	64.48
10	1,138	345	793	30.32	69.68
11 - 12	356	74	282	20.79	79.21
Total	24,372	13,397	10,975	54.97	45.03



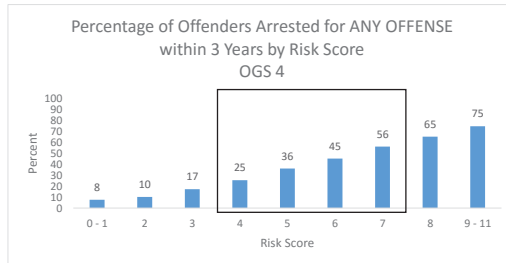
OGS 3 Any Rearrest Frequency All Years Dev and Validation

Score	Total	Clean	Arrest	% Clean	% Arrest
0 - 1	1,188	1,039	149	87.46	12.54
2	2,579	2,166	413	83.99	16.01
3	4,381	3,474	907	79.30	20.70
4	6,294	4,778	1,516	75.91	24.09
5	8,782	6,203	2,579	70.63	29.37
6	10,090	6,515	3,575	64.57	35.43
7	9,413	5,581	3,832	59.29	40.71
8	8,451	4,651	3,800	55.03	44.97
9	8,153	3,942	4,211	48.35	51.65
10	7,466	3,234	4,232	43.32	56.68
11	6,763	2,462	4,301	36.40	63.60
12	4,872	1,498	3,374	30.75	69.25
13	2,652	688	1,964	25.94	74.06
14	1,026	256	770	24.95	75.05
15 - 18	534	111	423	20.79	79.21
Total	82,644	46,598	36,046	56.38	43.62



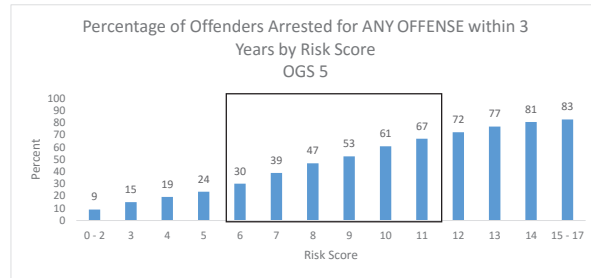
OGS 4 Any Rearrest Frequency All Years Dev and Validation

Score	Total	Clean	Arrest	% Clean	% Arrest
0 - 1	319	295	24	92.48	7.52
2	483	434	49	89.86	10.14
3	960	795	165	82.81	17.19
4	1,525	1,139	386	74.69	25.31
5	2,140	1,370	770	64.02	35.98
6	2,162	1,187	975	54.90	45.10
7	1,756	773	983	44.02	55.98
8	1,109	388	721	34.99	65.01
9 - 11	472	120	352	25.42	74.58
Total	10,926	6,501	4,425	59.50	40.50



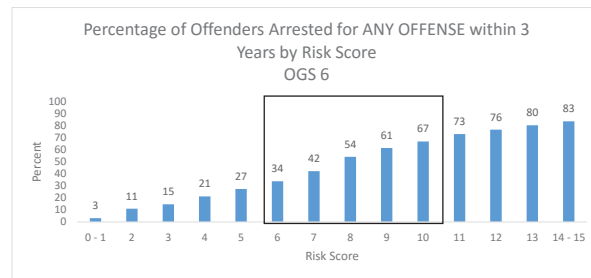
OGS 5 Any Rearrest Frequency All Years Dev and Validation

Score	Total	Clean	Arrest	% Clean	% Arrest
0 - 2	729	664	65	91.08	8.92
3	1,225	1,040	185	84.90	15.10
4	1,767	1,425	342	80.65	19.35
5	2,280	1,743	537	76.45	23.55
6	3,056	2,133	923	69.80	30.20
7	3,718	2,270	1,448	61.05	38.95
8	3,839	2,040	1,799	53.14	46.86
9	3,683	1,747	1,936	47.43	52.57
10	3,710	1,454	2,256	39.19	60.81
11	3,376	1,112	2,264	32.94	67.06
12	2,411	666	1,745	27.62	72.38
13	1,349	310	1,039	22.98	77.02
14	648	125	523	19.29	80.71
15 - 17	308	53	255	17.21	82.79
Total	32,099	16,782	15,317	52.28	47.72



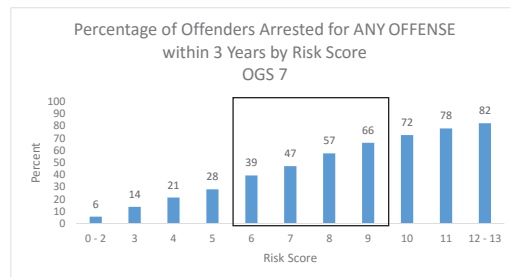
OGS 6 Any Rearrest Frequency All Years Dev and Validation

Score	Total	Clean	Arrest	% Clean	% Arrest
0 - 1	127	123	4	96.85	3.15
2	355	316	39	89.01	10.99
3	674	576	98	85.46	14.54
4	1,085	856	229	78.89	21.11
5	1,425	1036	389	72.70	27.30
6	2,028	1345	683	66.32	33.68
7	2,472	1433	1039	57.97	42.03
8	2,676	1233	1443	46.08	53.92
9	2,841	1,100	1,741	38.72	61.28
10	2,414	805	1609	33.35	66.65
11	1,584	432	1152	27.27	72.73
12	968	228	740	23.55	76.45
13	453	90	363	19.87	80.13
14 - 15	174	29	145	16.67	83.33
Total	19,276	9,602	9,674	49.81	50.19



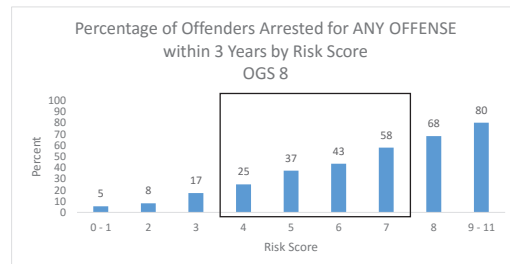
OGS 7 Any Rearrest Frequency All Years Dev and Validation

Score	Total	Clean	Arrest	% Clean	% Arrest
0 - 2	124	117	7	94.35	5.65
3	293	253	40	86.35	13.65
4	687	541	146	78.75	21.25
5	1,154	831	323	72.01	27.99
6	1,641	994	647	60.57	39.43
7	1,879	997	882	53.06	46.94
8	2,157	918	1,239	42.56	57.44
9	2,167	735	1,432	33.92	66.08
10	1,462	403	1,059	27.56	72.44
11	639	141	498	22.07	77.93
12 - 13	151	27	124	17.88	82.12
Total	12,354	5,957	6,397	48.22	51.78



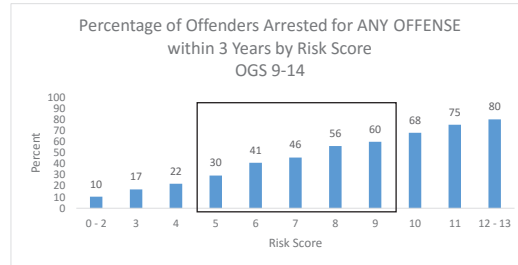
OGS 8 Any Rearrest Frequency All Years Dev and Validation

Score	Total	Clean	Arrest	% Clean	% Arrest
0 - 1	146	138	8	94.52	5.48
2	322	296	26	91.93	8.07
3	651	538	113	82.64	17.36
4	906	679	227	74.94	25.06
5	1,046	655	391	62.62	37.38
6	1,083	612	471	56.51	43.49
7	1,147	482	665	42.02	57.98
8	754	239	515	31.70	68.30
9 - 11	268	53	215	19.78	80.22
Total	6,323	3,692	2,631	58.39	41.61



OGS 9-14 Any Rearrest Frequency All Years Dev and Validation

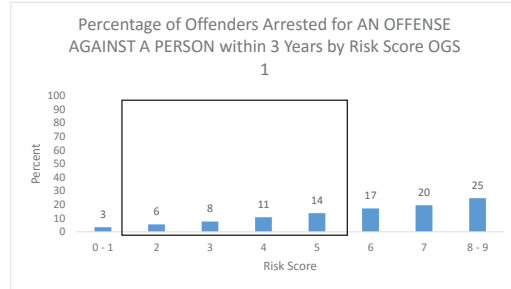
Score	Total	Clean	Arrest	% Clean	% Arrest
0 - 2	546	489	57	89.56	10.44
3	731	607	124	83.04	16.96
4	1,060	826	234	77.92	22.08
5	1,379	972	407	70.49	29.51
6	1,529	903	626	59.06	40.94
7	1,528	829	699	54.25	45.75
8	1,856	816	1,040	43.97	56.03
9	2,028	814	1,214	40.14	59.86
10	2,082	664	1,418	31.89	68.11
11	1,148	283	865	24.65	75.35
12 - 13	308	61	247	19.81	80.19
Total	14,195	7,264	6,931	51.17	48.83



§ 305.8(b). Recidivism Rates by Risk Score and Offense Gravity Score (OGS); Risk of Re-Offense for A Crime Against a Person (Preliminary).

OGS 1 Personal Rearrest Frequency All Years Dev and Validation

Score	Total	Clean	Arrest	% Clean	% Arrest
0 - 1	3,672	3,549	123	96.65	3.35
2	5,282	4,991	291	94.49	5.51
3	7,110	6,567	543	92.36	7.64
4	6,458	5,765	693	89.27	10.73
5	4,201	3,626	575	86.31	13.69
6	2,677	2,215	462	82.74	17.26
7	835	672	163	80.48	19.52
8 - 9	129	97	32	75.19	24.81
Total	30,364	27,482	2,882	90.51	9.49



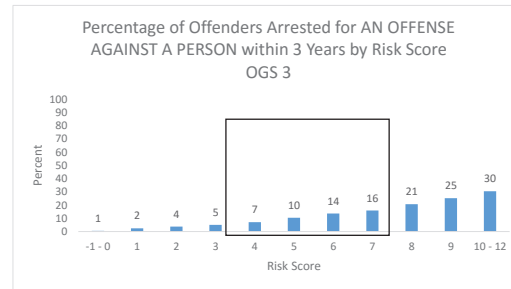
OGS 2 Personal Rearrest Frequency All Years Dev and Validation

Score	Total	Clean	Arrest	% Clean	% Arrest
-1 - 2	1,004	985	19	98.11	1.89
3	2,291	2,218	73	96.81	3.19
4	4,233	3,976	257	93.93	6.07
5	5,700	5,238	462	91.89	8.11
6	5,566	4,895	671	87.94	12.06
7	3,605	3,058	547	84.83	15.17
8 - 10	1,973	1,572	401	79.68	20.32
Total	24,372	21,942	2,430	90.03	9.97



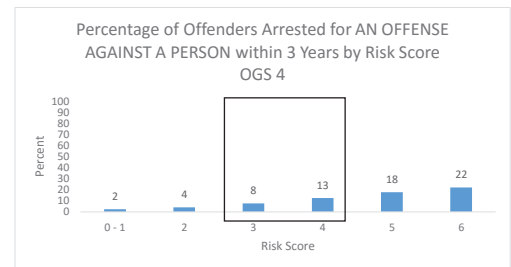
OGS 3 Personal Rearrest Frequency All Years Dev and Validation

Score	Total	Clean	Arrest	% Clean	% Arrest
-1 - 0	391	389	2	99.49	0.51
1	2,093	2,042	51	97.56	2.44
2	5,455	5,249	206	96.22	3.78
3	10,551	10,016	535	94.93	5.07
4	15,433	14,347	1,086	92.96	7.04
5	16,436	14,720	1,716	89.56	10.44
6	12,880	11,125	1,755	86.37	13.63
7	9,628	8,099	1,529	84.12	15.88
8	6,214	4,928	1,286	79.30	20.70
9	2,753	2,059	694	74.79	25.21
10 - 12	810	564	246	69.63	30.37
Total	82,644	73,538	9,106	88.98	11.02



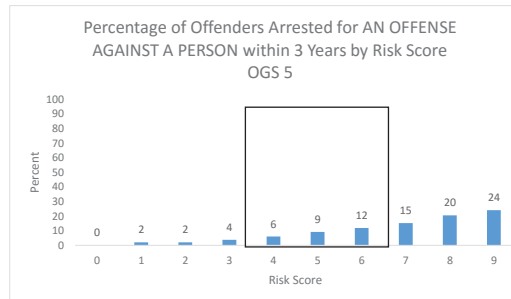
OGS 4 Personal Rearrest Frequency All Years Dev and Validation

Score	Total	Clean	Arrest	% Clean	% Arrest
0 - 1	569	555	14	97.54	2.46
2	1,735	1,664	71	95.91	4.09
3	2,825	2,607	218	92.28	7.72
4	3,807	3,331	476	87.50	12.50
5	1,633	1,342	291	82.18	17.82
6	357	278	79	77.87	22.13
Total	10,926	9,777	1,149	89.48	10.52



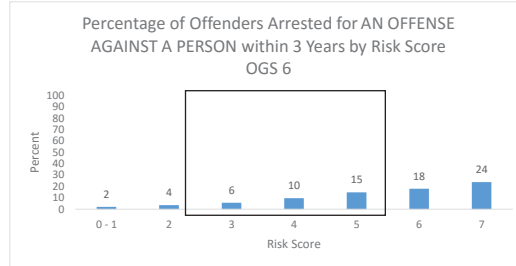
OGS 5 Personal Rearrest Frequency All Years Dev and Validation

Score	Total	Clean	Arrest	% Clean	% Arrest
0	123	123	0	100.00	0.00
1	822	805	17	97.93	2.07
2	2,099	2,056	43	97.95	2.05
3	3,545	3,412	133	96.25	3.75
4	5,122	4,813	309	93.97	6.03
5	6,510	5,916	594	90.88	9.12
6	6,658	5,868	790	88.13	11.87
7	4,604	3,901	703	84.73	15.27
8	2,217	1,763	454	79.52	20.48
9	399	303	96	75.94	24.06
Total	32,099	28,960	3,139	90.22	9.78



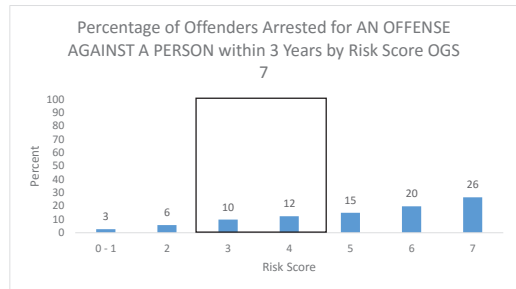
OGS 6 Personal Rearrest Frequency All Years Dev and Validation

Score	Total	Clean	Arrest	% Clean	% Arrest
0 - 1	778	762	16	97.94	2.06
2	2,052	1,980	72	96.49	3.51
3	3,760	3,548	212	94.36	5.64
4	5,504	4,970	534	90.30	9.70
5	4,685	3,989	696	85.14	14.86
6	2,161	1,771	390	81.95	18.05
7	336	256	80	76.19	23.81
Total	19,276	17,276	2,000	89.62	10.38



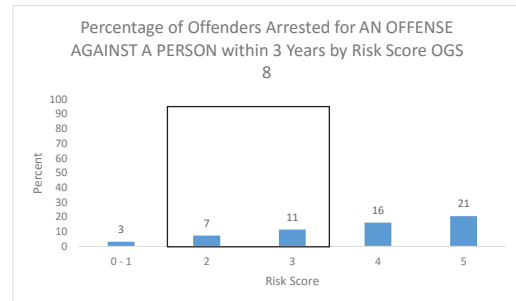
OGS 7 Personal Rearrest Frequency All Years Dev and Validation

Score	Total	Clean	Arrest	% Clean	% Arrest
0 - 1	857	834	23	97.32	2.68
2	2,234	2,106	128	94.27	5.73
3	3,378	3,046	332	90.17	9.83
4	3,319	2,908	411	87.62	12.38
5	1,772	1,508	264	85.10	14.90
6	677	543	134	80.21	19.79
7	117	86	31	73.50	26.50
Total	12,354	11,031	1,323	89.29	10.71



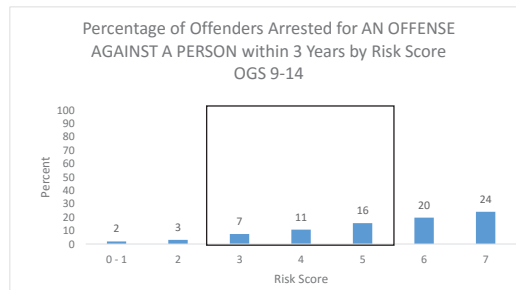
OGS 8 Personal Rearrest Frequency All Years Dev and Validation

Score	Total	Clean	Arrest	% Clean	% Arrest
0 - 1	1,119	1,084	35	96.87	3.13
2	2,197	2,035	162	92.63	7.37
3	2,004	1,776	228	88.62	11.38
4	813	682	131	83.89	16.11
5	190	151	39	79.47	20.53
Total	6,323	5,728	595	90.59	9.41



OGS 9-14 Personal Rearrest Frequency All Years Dev and Validation

Score	Total	Clean	Arrest	% Clean	% Arrest
0 - 1	827	811	16	98.07	1.93
2	1,422	1,378	44	96.91	3.09
3	2,450	2,268	182	92.57	7.43
4	3,627	3,235	392	89.19	10.81
5	3,581	3,024	557	84.45	15.55
6	1,943	1,561	382	80.34	19.66
7	345	262	83	75.94	24.06
Total	14,195	12,539	1,656	88.33	11.67



§ 305.9. Sentence Risk Assessment Summary (Sample).

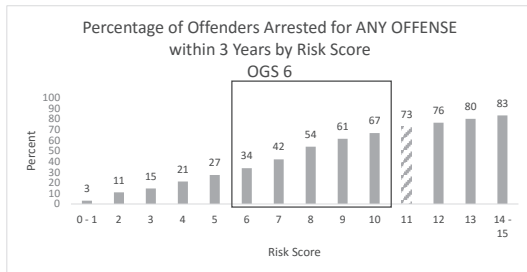
Risk Assessment Summary

OFFENDER		
Name: Risk TEST	DOB Or Age: 1/1/1990	State ID: 123-45-67-8
JUDICIAL PROCEEDING		
Docket #: TEST_02-04-2014-1	Commission ID: TEST_2014_02_04	Status: Pending Completion
Judge: Common Pleas Court Judge	County: Allegheny	
RISK SCORE INFORMATION		
Current Offense: 18 § 3502 Burglary (Not of a Home/Person Present)		
OGS: 6	Offense Date: 10/01/2015	

RISK FACTORS FOR ANY OFFENSE

	Possible Points	Offender's Point Total
Number of prior OTNs (after judicial review)		
	0	0
<input type="checkbox"/> 3	1	1
	2-3	2
	4-5	3
	Greater than 5	4
Prior public admin. offense		
<input type="checkbox"/> Yes	No	0
	Yes	1
Prior danger to person/sexual offense		
<input type="checkbox"/> No	No	0
	Yes	1
Current offense type		
<input type="checkbox"/> Burglary	Personal/Sex	0
	All Other	1
Gender		
<input type="checkbox"/> Male	Female	0
	Male	1
Age		
	Greater than 49	0
	40-49	1
	30-39	2
	26-29	3
<input type="checkbox"/> 25	21-25	4
	Less than 21	5
Multiple current convictions in JP		
<input type="checkbox"/> Yes	No	0
	Yes	1
Prior juvenile adjudication		
<input type="checkbox"/> Y	No	0
	Yes	1
TOTAL RISK SCORE		11
RECIDIVISM RATE (ANY OFFENSE) WITH A RISK SCORE OF 11		73%

The graph below depicts the likelihood of offenders at OGS 6 being arrested for ANY OFFENSE within three years of release from incarceration or imposition of probation/county IP based on their risk score.



The box represents where the majority of offenders lie [one standard deviation above and one standard deviation below the average risk score of 7.9].

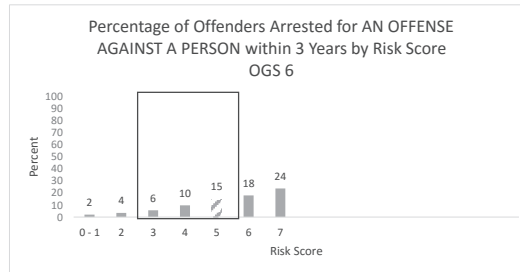
The striped bar represents the recidivism rate for ANY OFFENSE for offenders with a risk score of 11.

HIGH RISK (any offense) - Recommend additional information

RISK FACTORS FOR AN OFFENSE AGAINST A PERSON

	Possible Points	Offender's Point Total
Number of prior OTNs (after judicial review)		
	No	0
<input type="checkbox"/> Yes	Yes	1
Prior public admin. offense		
	No	0
<input type="checkbox"/> Yes	Yes	1
Prior danger to person/sexual offense		
<input type="checkbox"/> No	No	0
	Yes	1
Gender		
<input type="checkbox"/> Male	Female	0
	Male	1
Age		
	Greater than 49	0
	30-49	1
<input type="checkbox"/> 25	21-29	2
	Less than 21	3
TOTAL RISK SCORE		5
RECIDIVISM RATE (OFFENSE AGAINST A PERSON) WITH A RISK SCORE OF 5		15%

The graph below depicts the likelihood of offenders at OGS 6 being arrested for AN OFFENSE AGAINST A PERSON within three years of release from incarceration or imposition of probation/county IP based on their risk score. Overall, the likelihood of being arrested for a PERSONAL offense is low.



The box represents where the majority of offenders lie [one standard deviation above and one standard deviation below the average risk score of 3.9].

The striped bar represents the recidivism rate for AN OFFENSE AGAINST A PERSON for offenders with a risk score of 5.

TYPICAL RISK (offense against a person) - No recommendation

THE COURTS

Title 210—APPELLATE PROCEDURE

PART II. INTERNAL OPERATING PROCEDURES

[210 PA. CODE CH. 69]

Amendment to Commonwealth Court Internal Operating Procedure

The Commonwealth Court has amended its Internal Operating Procedure § 414, 210 Pa. Code § 69.414, effective March 10, 2017.

Annex A

TITLE 210. APPELLATE PROCEDURE

PART II. INTERNAL OPERATING PROCEDURES

CHAPTER 69. INTERNAL OPERATING PROCEDURES OF THE COMMONWEALTH COURT OF PENNSYLVANIA

DECISIONS

§ 69.414. Citing Judicial Opinions in Filings.

(a) An unreported opinion of this court may be cited and relied upon when it is relevant under the doctrine of law of the case, *res judicata* or collateral estoppel. Parties may also cite an unreported panel decision of this court issued after January 15, 2008, for its persuasive value, but not as binding precedent.

(b) Except as provided in subsection (d) (relating to single judge opinions in election law matters), a single-judge opinion of this court, even if reported, shall be cited only for its persuasive value and not as a binding precedent.

(c) A reported opinion of the Court en banc or panel may be cited as binding precedent.

(d) A reported opinion of a single judge filed after October 1, 2013, in an election law matter may be cited as binding precedent in an election law matter only. **For purposes of IOP § 414, “an election law matter” is one that involves the content of a ballot for the next ensuing election.**

[Pa.B. Doc. No. 17-570. Filed for public inspection April 7, 2017, 9:00 a.m.]

Title 255—LOCAL COURT RULES

CLARION COUNTY

Adoption of Local Rules Regarding Court Reporting and Transcripts; No. 282 CD 2017

Order of Court

And Now, March 22, 2017 the following rules are hereby *Adopted* as the Local Rules of Judicial Administration 4001, 4002, 4004, 4007 and 4008 governing court reporting and transcripts for the 18th Judicial District of Pennsylvania to be effective thirty (30) days after publica-

tion in the *Pennsylvania Bulletin*. The Clarion County District Court Administrator is Ordered and Directed to do the following:

(1) File one (1) copy of the local rules with the Administrative Office of Pennsylvania Courts via email to adminrules@pacourts.us

(2) Forward two (2) paper copies and one (1) electronic copy in a Microsoft Word format only on a CD-ROM to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

(3) Publish the local rules on the Clarion County website at <http://www.co.clarion.pa.us/government/courts.html>

(4) File one copy of the local rule in the appropriate filing offices for public inspection and copying.

By the Court

JAMES G. ARNER,
President Judge

LOCAL RULES OF JUDICIAL ADMINISTRATION

Rule 4001. Scope of Rules and Policy.

(A) These Local Rules of Judicial Administration pertaining to court reporting and transcripts shall be read in conjunction with the Pennsylvania Rules of Judicial Administration pertaining to the same subject matter.

(B) These Rules shall be known as the Local Rules of Judicial Administration and shall be cited as L.R.J.A.

Rule 4002. Definitions.

Court Administrator means the Court Administrator of Pennsylvania.

District Court Administrator means the County Court Administrator.

Rule 4004. Qualifications of Court Reporters.

(A) Reserved

(B) Reserved.

(C) Reserved.

(D)(1) Every court reporter utilized by the Court of Common Pleas of Clarion County shall provide to the District Court Administrator before January 31 each year, documentation indicating the number of continuing professional education hours that the Court Reporter successfully completed for the preceding calendar year and shall provide to the District Court Administrator proof of their requalification every three years by completion of thirty (30) hours of continuing professional education properly certified or accredited by the National Court Reporters Association.

(2) The District Court Administrator shall assure that the requirements set forth for court recorders in subdivision (C) of the Pennsylvania Rules of Judicial Administration are satisfactorily met by conducting a review of work products for accuracy, timeliness and quality.

(E) Reserved.

Rule 4007. Requests for Transcripts.

(A) All requests for transcripts shall be set forth on the standardized “Request for Transcript” form which may be downloaded from <http://www.co.clarion.pa.us/government/courts.html>, which is Clarion County’s website, or which can be obtained from the District Court Administrator or

the following filing offices: Prothonotary, Clerk of Courts, and Register of Wills/Clerk of Orphans' Court.

(B) The original request shall be filed in the appropriate filing office and the requesting party shall provide copies of the formal request to:

- (1) the judge presiding over the matter;
- (2) the district court administrator; and
- (3) opposing counsel or, if opposing party is not represented, to the opposing party
- (4) the district court administrator shall determine which court reporter is responsible for the transcript requested and shall deliver a copy of the request to the appropriate court reporter.

(C) Reserved

(D) Upon receipt of a request for an ordinary transcript, the court reporter assigned to the proceeding shall, within seven (7) calendar days of receipt of the Request to transcribe, calculate the estimated cost of the transcript using the price rates explicitly established by the Pennsylvania Rules of Judicial Administration or other rates approved pursuant thereto and provide that information to the district court administrator.

(1) A non-refundable deposit in the amount of 90% of the estimated cost of the transcript shall be made by the requestor within fourteen (14) calendar days after the district court administrator has informed the requestor of the estimated cost. All deposits shall be made by money order, certified check or law firm check made payable to the "County of Clarion" and delivered to the district court administrator, who will deposit the check with the Clarion County Treasurer. Upon receipt of the down payment the district court administrator shall notify the appropriate court reporter that the transcript is to be prepared and shall further indicate the date by which it is to be completed.

(2) Upon receipt of the directive to transcribe, the court reporter assigned to the proceeding shall prepare the transcript.

(3) The court reporter shall notify the district court administrator upon completion of the transcript and shall advise the district court administrator of the final total cost. The District Court Administrator shall notify the ordering party, and any other party having requested a copy, of the balance due.

(4) Upon notification to the requesting party that the transcript is completed and of the balance due, payment for the balance due shall be paid by money order, certified check or law firm check made payable to the County of Clarion and delivered to the district court administrator within seven (7) calendar days from the date of notification. The district court administrator will deposit payment with the Clarion County Treasurer and process payment to the court reporter. Original transcripts will not be filed nor copies distributed until the balance is paid in full.

(E) Reserved.

(F) The provisions of this Local Rule regarding deposits and final payments shall not apply to a request for a transcript where the Commonwealth or any subdivision thereof is the requestor, or where the requestor has been granted in forma pauperis status.

Rule 4008. Transcript Costs Payable by a Requesting Party Other Than the Commonwealth or a Subdivision Thereof.

(A)(1)(2) *Costs.* The costs payable by a requesting party, other than the Commonwealth of Pennsylvania or a subdivision thereof, unless a waiver is granted, shall be as follows:

Ordinary:	\$2.75 (paper)
Expedited:	\$3.75 (paper)
Daily:	\$4.75 (paper)
Same Day:	\$6.75 (paper)

These prices are for the original prepared in bound paper format as Clarion County does not accept an electronic transcript for filing. Further, Expedited, Daily or Same Day transcripts are only available if the court reporter is able to accommodate such request.

Fee schedule for COPIES:	\$0.75 (paper)
	\$0.50 (electronic)

(B) *Economic Hardship.*

- (1) Reserved.
- (2) Reserved.
- (3) Reserved.

(4) Litigants claiming economic hardship must attach a completed In Forma Pauperis affidavit, pursuant to PA Rule of Civil Procedure 240, to the Request for Transcript form. Proof of income must be supplied including documents for the past three months, such as pay stubs, social security benefit statements, Domestic Relations child support information, and/or unemployment benefit statements.

(a) No reduction or waiver of costs shall be requested or granted for any non-ordinary transcript unless the requesting party demonstrates extraordinary need.

(C) Reserved.

(D) *Copies of transcripts.*

Any requests for copies of transcripts filed of record shall be directed to the District Court Administrator and shall be produced solely by the District Court Administrator. Payment for copies of transcripts shall be paid by money order, certified check or law firm check made payable to the County of Clarion and delivered to the District Court Administrator pursuant to the rates established in 4008(A)(1)(2).

(E) *Additional Costs*

A trial judge may impose a reasonable surcharge in cases such as mass tort, medical malpractice or other unusually complex litigation, where there is a need for court reporters to significantly expand their dictionary. Such charges are at the discretion of the trial judge.

[Pa.B. Doc. No. 17-571. Filed for public inspection April 7, 2017, 9:00 a.m.]

CUMBERLAND COUNTY

Rules of the Court of Common Pleas; Local Rule 230—Disposition of Land Use Appeals in the Court of Common Pleas

Order of Court

And Now, this 22nd day of March, 2017, it is hereby Ordered and Decreed, that effective thirty (30) days after

publication in the *Pennsylvania Bulletin*, the Cumberland County Court of Common Pleas adopts local rule 230, governing procedure for the disposition of land use appeals in the Court of Common Pleas for the 9th Judicial District.

The Cumberland County District Court Administrator is Ordered and Directed to do the following:

1. File one (1) copy to the Administrative Office of Pennsylvania Courts via email to adminrules@pacourts.us.

2. File two (2) paper copies and one (1) electronic copy in a Microsoft Word format only to bulletin@palrb.us with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3. Publish these Rules on the Cumberland County Court website at www.ccpa.net.

4. Incorporation of the local rule into the set of local rules on www.ccpa.net within thirty (30) days after the publication of the local rule in the *Pennsylvania Bulletin*.

5. File one (1) copy of the local rule in the appropriate filing office for public inspection and copying.

6. Forward one (1) copy to the *Cumberland Law Journal*.

By the Court

EDWARD E. GUIDO,
President Judge

LAND USE APPEALS

Rule 230. Disposition.

1. Contemporaneously with the notice of the filing of the complete return of the record, the Prothonotary shall forward the appeal to Court Administration for assignment of a Judge of the Court of Common Pleas. The Court Administrator shall assign appeals to the Judges on a rotating basis.

2. Within ten (10) days after the Prothonotary gives notice of the filing of the complete return of the record, any party who believes the appeal is not ready for disposition may file a motion for a conference. The motion for a conference shall state why the party believes that the appeal is not ready for disposition and shall identify all actions that the party requests. The Prothonotary shall immediately serve a copy of the motion upon the assigned Judge.

3. At the conference, the Court may, inter alia:

- Require or approve supplementation of the record.
- Fix a time for a de novo hearing before the Court.
- Employ expert(s) to aid the Court to frame an appropriate order.

d. Refer the appeal to a referee to receive additional evidence, with directions as to time deadlines and other matters the Court deems appropriate.

e. If allowed by law, remand the appeal to the local agency with directions as to time deadlines and other matters, including mediation.

4. After the conference, the Court shall issue an appropriate order addressing the filing of briefs.

5. If no party has filed a request for a conference within ten (10) days after the Prothonotary gives notice of the filing of the complete return of the record, the Court shall immediately issue a standard order setting a briefing schedule and date for oral argument.

6. The standard briefing schedule shall be as follows:

The appellant shall file a brief within forty (40) days after the date the Prothonotary gives notice of the filing of the local agency's complete record. The appellant shall limit the brief to the issues appellant raised in the land use appeal.

Each other party shall file a responsive brief within thirty (30) days after service of appellant's brief.

The appellant may file a reply brief within ten (10) days after service of the responsive brief.

7. Within the standard order setting the briefing schedule, the judge shall schedule oral argument for the next argument term corresponding with the close of the briefing period.

8. If appellant fails to file a brief within the time period established under the rules of this section or by the Court after a conference, any party may file and serve a praecipe stating that the appeal is ready for disposition together with a brief or may petition the Court for dismissal of the appeal. If a party files a praecipe requesting disposition due to the failure of the appellant to file a brief, the Court shall render a decision, without oral argument, on the record before it.

[Pa.B. Doc. No. 17-572. Filed for public inspection April 7, 2017, 9:00 a.m.]

CUMBERLAND COUNTY

Rules of the Court of Common Pleas; Local Rule 1920.55-1

Order of Court

And Now, this 21st day of March, 2017, it is hereby Ordered and Decreed, that effective thirty (30) days after publication in the *Pennsylvania Bulletin*, the Cumberland County Court of Common Pleas rescinds local rule 1920.55-1 and adopts local rule 1920.55-1, governing exceptions to the divorce master's report for the 9th Judicial District.

The Cumberland County District Court Administrator is Ordered and Directed to do the following:

1. File one (1) copy to the Administrative Office of Pennsylvania Courts via email to adminrules@pacourts.us.

2. File two (2) paper copies and one (1) electronic copy in a Microsoft Word format only to bulletin@palrb.us with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3. Publish these Rules on the Cumberland County Court website at www.ccpa.net.

4. Incorporation of the local rule into the set of local rules on www.ccpa.net within thirty (30) days after the publication of the local rule in the *Pennsylvania Bulletin*.

5. File one (1) copy of the local rule in the appropriate filing office for public inspection and copying.

6. Forward one (1) copy to the *Cumberland Law Journal*.

By the Court

EDWARD E. GUIDO,
President Judge

DIVORCE RULES

Rule 1920.55-1.

[When exceptions are filed to the master’s report, the Prothonotary shall immediately list the case for the next Argument Court. It shall be the responsibility of counsel to request the court to order that a transcript be prepared if needed.] When exceptions to the Divorce Master’s report are filed, the Prothonotary shall forthwith forward the cases to the Court Administrator who shall assign them to the Judges of the Court of Common Pleas on a rotating basis.

[Pa.B. Doc. No. 17-573. Filed for public inspection April 7, 2017, 9:00 a.m.]

STATEMENTS OF POLICY

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

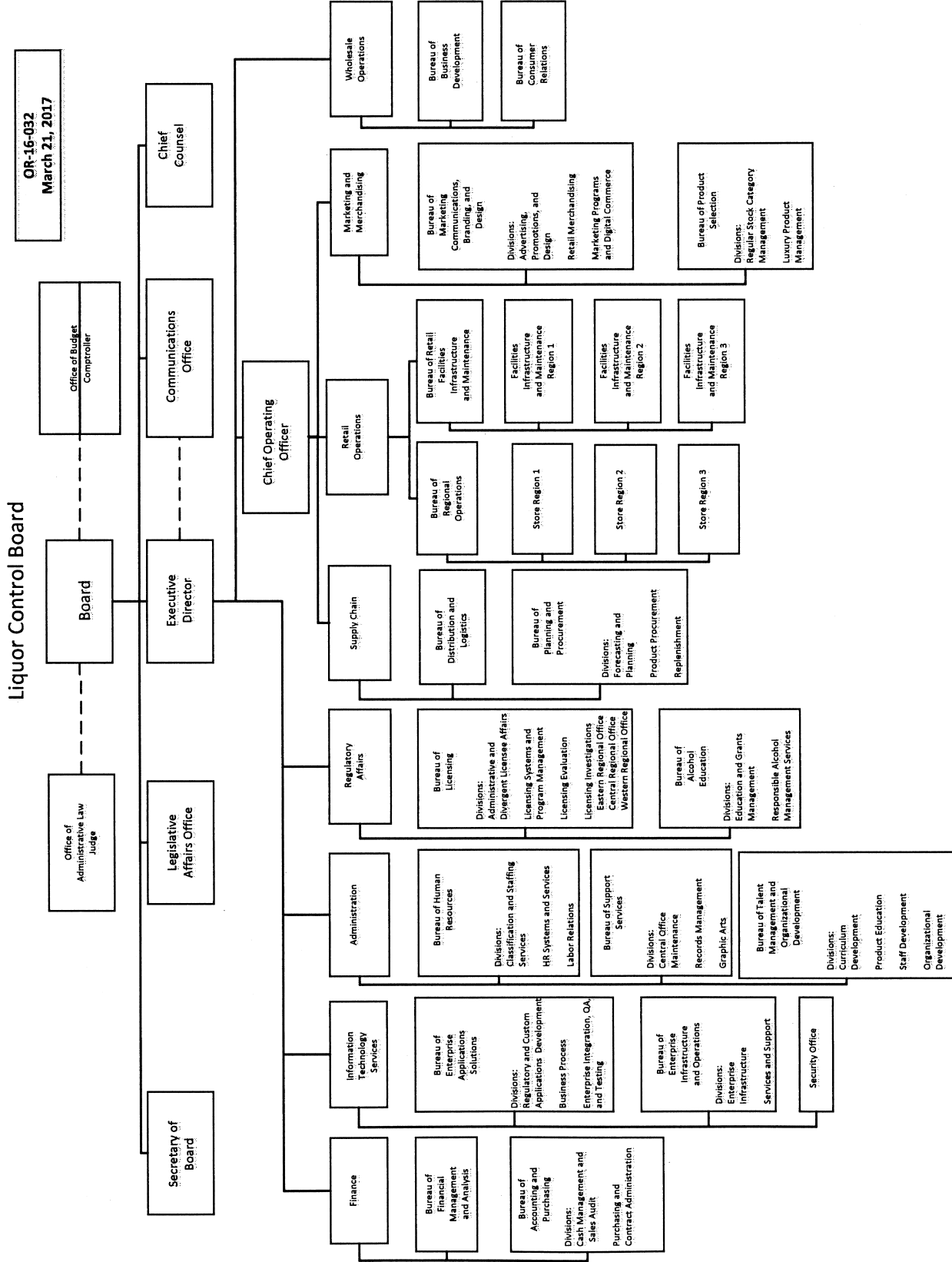
Reorganization of the Liquor Control Board

The Executive Board approved a reorganization of the Liquor Control Board effective March 21, 2017.

The organization chart at 47 Pa.B. 2106 (April 8, 2017) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

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

[Pa.B. Doc. No. 17-574. Filed for public inspection April 7, 2017, 9:00 a.m.]



NOTICES

DEPARTMENT OF AGING

Pennsylvania Long-Term Care Council Meetings

The Pennsylvania Long-Term Care Council (Council) will hold meetings at 10 a.m. on April 20, 2017, June 15, 2017, August 24, 2017, October 19, 2017, and December 7, 2017.

Meetings of the Council will be held at the Pennsylvania Farm Show Complex and Expo Center, Keystone Conference Center, Monongahela Room, 2300 North Cam-

eron Street, Harrisburg, PA. The Monongahela Room is located on the second floor of the Maclay Street side of the Complex.

Any questions or concerns regarding these meetings may be directed to Charles Quinnan, (717) 705-7296, cquinnan@pa.gov.

TERESA OSBORNE,
Secretary

[Pa.B. Doc. No. 17-575. Filed for public inspection April 7, 2017, 9:00 a.m.]

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P.L. 847, No. 356), known as the Banking Code of 1965; the act of May 15, 1933 (P.L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P.L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending March 28, 2017.

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

BANKING INSTITUTIONS

Interim Incorporations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
3-27-2017	Meridian Interim Bank Malvern Chester County	Filed
	The purpose of Meridian Interim Bank, Malvern, is to merge with Meridian Bank, Malvern, to facilitate the proposed reorganization of Meridian Bank into a bank holding company structure whereby Meridian Bank will become the wholly-owned subsidiary of Meridian Corporation, a new holding company in formation.	

Conversions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
3-24-2017	<i>From:</i> The First National Bank of Mifflintown Mifflintown Juniata County	Filed
	<i>To:</i> Pennian Bank Mifflintown Juniata County	
	Application for approval to convert from a National bank to a Pennsylvania State-chartered commercial bank and trust company.	

Section 112 Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
3-22-2017	Hamilton Bancorp, Inc. Ephrata Lancaster County	Filed
	Application for approval to acquire up to 100% of the common stock of Stonebridge Bank, West Chester.	
3-22-2017	Norman and Anthony Hahn East Earl Lancaster County	Filed

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
	Application for approval to acquire more than 5% of the common stock of Hamilton Bancorp, Inc., Ephrata.	
3-22-2017	Fulton Financial Corporation Lancaster Lancaster County	Effective
	Application for approval to acquire up to 19.99% of the preferred stock of United Bancshares, Inc., Philadelphia.	

Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
3-22-2017	Hamilton Bancorp, Inc. Ephrata Lancaster County	Filed
	Application for approval to acquire 100% of Stonebridge Bank, West Chester.	

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
3-17-2017	Fidelity Deposit & Discount Bank Dunmore Lackawanna County	Effective
	Application for approval to purchase assets and assume liabilities of one branch of Wayne Bank, Honesdale, located at: 623 South Main Street Scranton Lackawanna County	

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
3-23-2017	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	4930 Edgmont Avenue Brookhaven Delaware County	Approved
3-23-2017	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	2067 Interchange Road Erie Erie County	Opened
3-24-2017	Univest Bank and Trust Co. Souderton Montgomery County	4240 Oregon Pike Ephrata Lancaster County	Filed
3-24-2017	Univest Bank and Trust Co. Souderton Montgomery County	1135 Georgetown Road Christiana Lancaster County	Filed

Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
3-22-2017	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	7200 Peach Street Erie Erie County	Closed

Branch Consolidations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
3-17-2017	Fidelity Deposit & Discount Bank Dunmore Lackawanna County	<i>Into:</i> 400 South Main Avenue Scranton Lackawanna County <i>From:</i> 623 South Main Avenue Scranton Lackawanna County	Effective

CREDIT UNIONS

No activity.

The Department's web site at www.dobs.pa.gov includes public notices for more recently filed applications.

ROBIN L. WIESSMANN,
Secretary

[Pa.B. Doc. No. 17-576. Filed for public inspection April 7, 2017, 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 POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS

This notice provides information about persons who have applied for a new, amended or renewed NPDES or WQM permit, a permit waiver for certain stormwater discharges or submitted a Notice of Intent (NOI) for coverage under a General Permit. The applications concern, but are not limited to, discharges regarding industrial, animal or sewage waste, discharges to groundwater, discharges associated with municipal separate storm sewer systems (MS4), stormwater associated with construction activities or concentrated animal feeding operations (CAFO). This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section I	NPDES	Renewals
Section II	NPDES	New or Amendment
Section III	WQM	Industrial, Sewage or Animal Waste; Discharge into Groundwater
Section IV	NPDES	MS4 Individual Permit
Section V	NPDES	MS4 Permit Waiver
Section VI	NPDES	Individual Permit Stormwater Construction
Section VII	NPDES	NOI for Coverage under NPDES General Permits

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

For applications for new NPDES permits and renewal applications with major changes in Section II, as well as applications for MS4 Individual Permits and Individual Stormwater Construction Permits in Sections IV and VI, the Department, based upon preliminary reviews, has made tentative determinations of proposed effluent limitations and other terms and conditions for the permit applications. In accordance with 25 Pa. Code § 92a.32(d), the proposed discharge of stormwater associated with construction activities will be managed in accordance with the requirements of 25 Pa. Code Chapter 102. These determinations are published as proposed actions for comments prior to taking final actions.

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

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

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

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

I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0219240 (Sewage)	Fortuna SR STP 108 Hamilton Drive Sewickley, PA 15143	Allegheny County Bell Acres Borough	Unnamed Tributary to Little Sewickley Creek (20-G)	Yes

Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 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>
PA0042528 (Sew)	Margaretta MHP 1446 Prayer Mission Road York, PA 17406	York County/ Lower Windsor Township	Cabin Creek/7-I	Y
PA0082511 (Sew)	Roxbury Holiness Camp, Inc. PO Box 28 Roxbury, PA 17251	Franklin County/ Letterkenny Township	Conodoguinet Creek/ 7-B	Y
PA0084018 (Sew)	Fishing Creek Estates Homeowners Association 2805 Old Post Road, Suite 200 Harrisburg, PA 17110	Dauphin County/ Middle Paxton Township	Fishing Creek/7-C	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0023591 (Sewage)	Washington Township STP PO Box 124 Fryburg, PA 16326	Clarion County Washington Township	Unnamed Tributary to East Sandy Creek (16-G)	Yes
PA0091341 (Sewage)	Moniteau Jr Sr High School 1810 W Sunbury Road West Sunbury, PA 16061-1220	Butler County Cherry Township	South Branch Slippery Rock Creek (20-C)	Yes
PA0263818 (Sewage)	Just For Jesus 5329 Route 219 Brockway, PA 15824	Jefferson County Snyder Township	Unnamed Tributary to Mill Creek (17-C)	Yes

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

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

PA0056481, Sewage, SIC Code 7011, **L & S Estates, LLC**, 2023 Fairmount Drive, Jamison, PA 18929. Facility Name: L & S Estates STP. This existing facility is located in Bedminster Township, **Bucks County**.

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

The receiving stream(s), Unnamed Tributary to Cabin Run, is located in State Water Plan watershed 2-D and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0016 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)						
Nov 1 - Apr 30	XXX	XXX	XXX	20	XXX	40
May 1 - Oct 31	XXX	XXX	XXX	10	XXX	20

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	9.0	XXX	18
May 1 - Oct 31	XXX	XXX	XXX	3.0	XXX	6

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

- TRC Requirements
- Proper Sludge Disposal
- Responsible Operator Requirements

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

The EPA Waiver is in effect.

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

PA0037150, Sewage, SIC Code 4952, **Penn Township Board of Commissioners**, 20 Wayne Avenue, Hanover, PA 17331. Facility Name: Penn Township WWTP. This existing facility is located in Penn Township, **York County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 4.2 MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0Max	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)						
Interim	XXX	XXX	XXX	0.14	XXX	0.45
Ultraviolet light transmittance (%)						
Final	XXX	XXX	Report	XXX	XXX	XXX
CBOD ₅						
May 1 - Oct 31	525	788	XXX	15	22.5	30
Nov 1 - Apr 30	875	1401	XXX	25	40	50
BOD ₅						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	1,050	1,576	XXX	30	45	60
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Ammonia-Nitrogen						
May 1 - Oct 31	35	XXX	XXX	1.0	XXX	2.0
Nov 1 - Apr 30	105	XXX	XXX	3.0	XXX	6.0
Total Phosphorus	70	XXX	XXX	2.0	XXX	4.0

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

Parameters	Mass Units (lbs/day)		Monthly	Concentrations (mg/L)		Instant. Maximum
	Monthly	Annual		Monthly Average	Maximum	
Ammonia—N	Report	Report	XXX	Report	XXX	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX	XXX

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		
	Monthly	Annual	Monthly	Monthly Average	Maximum	Instant. Maximum
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX	XXX
Net Total Nitrogen	Report	76,711	XXX	XXX	XXX	XXX
Net Total Phosphorus	Report	10,228	XXX	XXX	XXX	XXX

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

- Chesapeake Bay Nutrient Monitoring Requirements
- Compliance Schedule
- Whole Effluent Toxicity (WET) Testing Requirements
- Stormwater Requirements

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

The EPA Waiver is not in effect.

PA0266434, Sewage, SIC Code 8811, **Prime Home Investments LLC**, 1525 Oregon Pike, Suite 2001, Lancaster, PA 17601. Facility Name: Prime Home Investments Properties. This proposed facility is located at 35 E. Ben Franklin Highway in Amity Township, **Berks County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated sewage from a single residence treatment plant to a dry swale draining to a stream. The new treatment plant will replace a failing onlot system.

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0004 MGD:

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		
	Average Monthly	Average Weekly	Minimum *	Average Monthly *	Maximum *	Instant. Maximum *
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	1,000

*The minimum sampling frequency included in the permit is once per year.

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

- An Annual Maintenance Report (AMR) must be submitted to the DEP to document maintenance activities and report monitoring results.

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

The EPA Waiver is in effect.

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

PA0043681, Sewage, SIC Code 4952, **Valley Joint Sewer Authority**, 1 South River Street, Athens, PA 18810-1701. Facility Name: Valley Joint Sewer Authority Wastewater Treatment Plant. This existing facility is located in Athens Borough, **Bradford County**.

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

The receiving stream(s), Susquehanna River, is located in State Water Plan watershed 4-B and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 2.25 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Report	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	465	750	XXX	25	40	50
UV Transmittance (%)	XXX	Wkly Avg XXX	Report	XXX	Wkly Avg XXX	XXX
Biochemical Oxygen Demand (BOD ₅)						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	560	840	XXX	30	45	60
		Wkly Avg			Wkly Avg	
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Fecal Coliform (CFU/100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Copper, Total (µg/L) (Final)	Report	Report	XXX	Report	Report	XXX
Hexavalent Chromium (µg/l)	Report	Report	XXX	Report	Report	XXX
Bromide (µg/l)	Report	Report	XXX	Report	Report	XXX
1,4 Dioxane (µg/l)	Report	Report	XXX	Report	Report	XXX

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>	<i>Monthly</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Ammonia—N	Report	Report	XXX	Report	XXX	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX	XXX
Net Total Nitrogen	Report	41,095	XXX	XXX	XXX	XXX
Net Total Phosphorus	Report	5,479	XXX	XXX	XXX	XXX

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

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

- Chesapeake Bay Nutrient Requirements
- Solids Management for Non-Lagoon Systems
- C113—Corrosion Control Feasibility Study
- C114—Whole Effluent Toxicity—No Permit Limits
- C123—Stormwater Requirements

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

The EPA Waiver is not in effect.

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

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

WQM Permit No. 3217400, Sewage, **LCT Energy LP**, 938 Mount Airy Drive, Johnstown, PA 15904.

This proposed facility is located in Rayne Township, **Indiana County**.

Description of Proposed Action/Activity: Installation of a Small Flow Sewage Treatment Plant to serve the Risecen Mine office and bath house.

WQM Permit No. 0416403, Sewage, **Reed William T**, 143 Mill Street, Hookstown, PA 15050.

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

Description of Proposed Action/Activity: Installation/Construction of a single residence sewage treatment plant.

WQM Permit No. 1117401, Sewage, **Franklin Borough**, 1125 Main Street, Johnstown, PA 15909.

This proposed facility is located in Franklin Borough, **Cambria County**.

Description of Proposed Action/Activity: Proposed construction of sanitary sewer rehabilitation project to replace existing defective sewers in the Phase 2 Area of Franklin Borough.

The Pennsylvania Infrastructure Investment Authority (PENNVEST) which administers Pennsylvania's State Revolving Fund has been identified as a potential funding source.

WQM Permit No. 6516404, Sewage, **Municipal Authority of Westmoreland County**, 124 Park and Pool Drive, New Stanton, PA 15672

The proposed facilities are located in Sewickley & Hempfield Township, **Westmoreland County**.

Description of Proposed Action/Activity: The applicant proposes to construct two pump stations to serve the Waltz Mill Industrial Park and the existing Westinghouse Electric Company Property.

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

WQM Permit No. 4517401, Sewage, **White Oak Country Estates Property Owners Association, Inc.**, 4133 Crestview Drive, Stroudsburg, PA 18360.

This proposed facility is located in Hamilton Township, **Monroe County**.

Description of Proposed Action/Activity: This application is for the replacement of the Association's 0.0186 MGD wastewater treatment plant that has reached the end of its service life caused primarily by corrosion of the steel components. The proposed facility will be a precast concrete inground package wastewater treatment plant that will include an influent equalization tank, an anoxic tank, an aeration tank, a clarifier, an effluent dosing tank, a chemical feed system, a sludge holding tank and a control building. The existing subsurface beds will remain in use for disposal of the treated effluent from the proposed treatment plant. The project is located on the east side of S.R. 2004 (Cherry Valley Road), approximately 0.5 mile south of its intersection with S.R. 2006 (Bossardsville Road).

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

WQM Permit No. 0617404, Sewerage, **Daniel Dryja**, 124 Rattlesnake Hill Road, Boyertown, PA 19512.

This proposed facility is located in Douglass Township, **Berks County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of a small flow single family treatment system to replace a malfunctioning on-lot system.

WQM Permit No. WQG01211701, Sewerage, **Jessie Hoon and Travis Mease**, 2751 Spring Road, Carlisle, PA 17013.

This proposed facility is located in Middlesex Township, **Cumberland County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of a small flow single family treatment system to serve their single family home off of Mountain Road.

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

WQM Permit No. 4217401, Sewage, **Brandi Kimball**, 1069 Barden Brook Road, Eldred, PA 16731.

This proposed facility is located in Ceres Township, **McKean County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant.

WQM Permit No. 1074404 A-1, Sewage, **Butler Area Sewer Authority**, 100 Litman Road, Butler, PA 16001-3256.

This existing facility is located in Butler Township, **Butler County**.

Description of Proposed Action/Activity: Amendment to replace existing plate and frame press with new rotary presses and replace existing MCCs at Butler Area Sewage Treatment Plant.

WQM Permit No. 6217405, Sewage, **Lifestyle Support Service Inc.**, 1109 Deveaux Street, Elmora, PA 15737.

This proposed facility is located in Conewango Township, **Warren County**.

Description of Proposed Action/Activity: Small Flow Treatment Facility.

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

Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Monroe County Conservation District, 8050 Running Valley Rd., Stroudsburg, PA 18360-0917.

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAD450021	Monroe Retail, LLC 668 Crescent Ave, 2nd Floor Bronx, NY 10458	Monroe	Chestnuthill Township	Pohopoco Creek (EV, MF)

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD450003	Tobyhanna Army Depot U.S. Army Corps of Engineers 11 Hap Arnold Blvd Tobyhanna, PA 18466	Monroe	Coolbaugh Township	Tobyhanna Creek (HQ-CWF, MF) Mill Pond Number One (HQ-CWF, MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD480012	Troy Faust Estates at Bushkill Reserve, LLC 4562 Steuben Road Bethlehem, PA 18020	Northampton	Bushkill Township	Bushkill Creek (HQ-CWF, MF)
PAD480011	Lafayette College 9 North Campus Lane Easton, PA 18042	Northampton	City of Easton	Bushkill Creek (HQ-CWF, MF)

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

<i>Permit #</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD360006	Ben B. Stoltzfus 332 Little Britain Church Road Peach Bottom, PA 17563	Lancaster County	Fulton Township	Little Conowingo Creek (HQ-CWF)

Southwest Region: Waterways & Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. (412) 442.4315.

<i>Permit No.</i>	<i>Applicant & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Stream Name</i>
PAD630007	South Strabane Township Sanitary Authority 550 Washington Road Washington, PA 15301	Washington County	South Strabane Township	Little Chartiers Creek (HQ-WWF)

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

PAG-12 CAFOs

CAFO Notices of Intent Received

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

NPDES Permit No. PAG123850, CAFO, Keith Martin, 990 Forest Hill Road, Stevens, PA 17578.

This proposed facility is located in Clay Township, **Lancaster County**.

Description of size and scope of proposed operation/activity: Poultry (Broilers): 275.9 AEUs.

The receiving stream, Unnamed Tributary to Middle Creek, is in watershed 7-J and classified for: Migratory Fishes and Trout Stocking.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 25-year/24-hour rain storms, the CAFO general permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the State narrative water quality standards.

NPDES Permit No. PAG123730, CAFO, Hykes Steven, 4775 Coseytown Rd, Greencastle, PA 17225.

This existing facility is located in Antrim Township, **Franklin County**.

Description of size and scope of existing operation/activity: Swine (Grow—Finish) and Dairy (Heifers): 672.29 AEUs.

The receiving stream, Conococheague Creek, is in watershed 13-C and classified for: Migratory Fishes and Warm Water Fishes.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 25-year/24-hour rain storms, the CAFO general permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the State narrative water quality standards.

NPDES Permit No. PAG123639, CAFO, **Lexington Farm LLC**, 306 East Lexington Rd, Lititz, PA 17543.

This existing facility is located in Warwick Township, **Lancaster County**.

Description of size and scope of existing operation/activity: Swine (Grow—Finish), Poultry (Broilers), Beef (Steer): 407.29 AEU's.

The receiving stream, Lititz Run, is in watershed 7-J and classified for: Warm Water Fishes.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 25-year/24-hour rain storms, the CAFO general permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the State narrative water quality standards.

Northcentral Regional Office: Regional Clean Water Program Manager, 208 W Third Street, Suite 101, Williamsport, PA 17701-6448. Phone: 570.327.3636.

NPDES Permit No. PAG124857, CAFO, **Glenn Gorrell**, 392 Wood Road, Milan, PA 18831-7977.

This proposed facility is located in Smithfield Township, **Bradford County**.

Description of size and scope of proposed operation/activity: Gorrell Dairy LLC is an existing dairy farm consisting of a total of 2,210 acres; including 1970.9 acres cropland, 92.9 acres pasture, 13.4 acres wooded pasture, 28.7 acres farmstead, 12.2 acres PA Conservation Reserve Enhancement Program, and 91.9 acres of other associated agricultural land. Within the next three years animal numbers will reach approximately 790 milking cows, 110 dry cows, 695 replacements/youngstock, 170 heifers ages 15 months to freshening at Farm II, 33 heifers freshening at home.

The receiving stream, Tomjack Creek, is in watershed 4-C and classified for: Migratory Fishes and Trout Stocking.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 25-year/24-hour rain storms, the CAFO general permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the State narrative water quality standards.

STATE CONSERVATION COMMISSION

PROPOSED NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs

This notice provides information about agricultural operations that have submitted nutrient management plans (NMPs) for approval under 3 Pa.C.S. Chapter 5 and that have or anticipate submitting applications for new, amended or renewed NPDES permits, or Notices of Intent (NOIs) for coverage under a general permit, for CAFOs, under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Based upon preliminary reviews, the State Conservation Commission (SCC) or County Conservation Districts (CCD) working under a delegation agreement with the SCC have completed an administrative review of NMPs described. These NMPs are published as proposed plans for comment prior to taking final actions. The NMPs are available for review at the CCD office for the county where the agricultural operation is located. A list of CCD office locations is available at <http://www.nacdnet.org/about/districts/directory/pa.phtml> or can be obtained from the SCC at the office address listed or by calling (717) 787-8821.

Persons wishing to comment on an NMP are invited to submit a statement outlining their comments on the plan to the CCD, with a copy to the SCC for each NMP, within 30 days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the NMPs. Comments should include the name, address and telephone number of the writer and a concise statement to inform the SCC of the exact basis of the comments and the relevant facts upon which they are based. Comments should be sent to the SCC, Agriculture Building, Room 310, 2301 North Cameron Street, Harrisburg, PA 17110.

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

CAFO NMP

PUBLIC NOTICE SPREADSHEET—APPLICATIONS (Submission)

<i>Agricultural Operation (Name and Address)</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units (AEUs)</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>New or Renewal</i>
Jonathan Z. Lapp The Lapp Farm 274 Media Road Oxford, PA 19363	Chester	11.7	171.47	Pullets (Poultry)	Jordan Run, EV	New
John Cornelius 18121 Hares Valley Road Mapleton Depot, PA 17052	Huntingdon	275.1	672.66	Finishing Swine	Hares Valley Creek—N/A	New

<i>Agricultural Operation (Name and Address)</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units (AEUs)</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>New or Renewal</i>
Meadow Vista Dairy, LLC Eric Risser 166 Risser Road Bainbridge, PA 17502	Lancaster	786.2	1,229.54	Dairy	NA	Renewal
Beaverton Sow Farm 429 Beaverton Ln. Beavertown, PA 17813	Snyder	60.88	1,444.95	Swine	NA	Renewal

**PUBLIC WATER SUPPLY (PWS)
PERMITS**

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

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

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

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

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

SAFE DRINKING WATER

Applications Received Under the Pennsylvania Safe Drinking Water Act

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

Permit No. 0917506, Public Water Supply.
 Applicant **Upper Bucks County Technical School**
 3115 Ridge Road
 Perkasie, PA 18944
 Borough Perkasie
 County **Bucks**

Type of Facility PWS
 Consulting Engineer Mr. Thomas G. Pullar, P.E.
 6912 Old Easton Road
 P.O. Box 468
 Pipersville, PA 18947-0468
 Permit to Construct Issued March 6, 2017
Southcentral Region: Safe Drinking Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

Permit No. 3617502, Public Water Supply.
 Applicant **Turkey Hill, LP**
 Municipality Drumore Township
 County **Lancaster**
 Responsible Official Scott Ream, Facility Engineering Manager
 257 Centerville Road
 Lancaster, PA 17603

Type of Facility Public Water Supply
 Consulting Engineer James P. Cinelli, P.E.
 Liberty Environmental Inc
 10 North 5th Street
 Reading, PA 19601
 Application Received: 1/19/2017
 Description of Action New noncommunity system including a new well, nitrate treatment, water softening, and UV disinfection.

Permit No. 3617507, Public Water Supply.
 Applicant **Gap Brothers Holding, LLC**
 Municipality Paradise Township
 County **Lancaster**
 Responsible Official Matthew Beiler, CFO
 3105 Lincoln Hwy E
 Paradise, PA 17562

Type of Facility Public Water Supply
 Consulting Engineer Thomas J. Whitehill, P.E.
 Whitehill Consulting Engineers
 763 Conowingo Rd.
 Quarryville, PA 17566
 Application Received: 3/7/2017
 Description of Action New noncommunity system including a new well with ion exchange for radium removal and UV disinfection.

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

Permit No. 2515502-MA1, Public Water Supply.

Applicant **Erie City Water Authority d/b/a Erie Water Works**

Township or Borough Millcreek Township

County **Erie**

Responsible Official Craig H. Palmer, P.E.
Engineering Services Manager
Erie Water Works
240 West 12th Street
Erie, PA 16501

Type of Facility Community Water Supply

Consulting Engineer Edward J. St. John, P.E.
CDM Smith, Inc.
1360 E. 9th Street
Suite 610
Cleveland, OH 44114

Application Received Date March 15, 2017

Description of Action Installation of 20 additional membrane modules into the spare spaces within each membrane train.

Permit No. 3704501-MA2, Public Water Supply.

Applicant **New Wilmington Municipal Authority**

Township or Borough Wilmington Township

County **Lawrence**

Responsible Official Dr. John R. Reed
Authority Chairman
New Wilmington Municipal Authority
134 High Street
New Wilmington, PA 16142

Type of Facility Community Water Supply

Consulting Engineer Matthew J. Arena, P.E.
Herbert, Rowland & Grubic, Inc.
200 West Kensinger Drive
Suite 400
Cranberry Township, PA 16066

Application Received Date March 8, 2017

Description of Action Installation of new take point on Aqua PA water system and transmission main to existing storage reservoirs.

Permit No. 3717501, Public Water Supply.

Applicant **Pennsylvania American Water Company**

Township or Borough Shenango Township

County **Lawrence**

Responsible Official David R. Kaufman
Vice President- Engineering
Pennsylvania American Water Company
800 West Hershey Park Drive
Hershey, PA 17033

Type of Facility Community Water Supply

Consulting Engineer Jay Lucas, P.E.
Pennsylvania American Water Company
300 Galley Road
McMurray, PA 15317

Application Received Date February 27, 2017

Description of Action Install 102,000 linear feet of DI main and booster station to serve additional areas of Shenango Township, Lawrence County.

Permit No. 2017501, Public Water Supply.

Applicant **Oil Creek Township**

Township or Borough Oil Creek Township

County **Crawford**

Responsible Official Michael J. Colbert
Chairman
Oil Creek Township Supervisors
127 McKinney Road
Titusville, PA 16354

Type of Facility Public Water Supply

Consulting Engineer Mark J. Corey, P.E.
Mark J. Corey & Associates
P.O. Box 268
Harborcreek, PA 16421

Application Received Date February 1, 2017

Description of Action Main water line extension to create consecutive system.

Permit No. 7223-T1-MA5, Public Water Supply.

Applicant **Erie City Water Authority d/b/a Erie Water Works**

Township or Borough City of Erie

County **Erie**

Responsible Official Craig H. Palmer, P.E.
Engineering Services Manager
Erie Water Works
240 West 12th Street
Erie, PA 16501

Type of Facility Community Water Supply

Consulting Engineer Craig J. Bauer, P.E.
KLH Engineers, Inc.
5173 Campbells Run Road
Pittsburgh, PA 15205

Application Received Date March 17, 2017

Description of Action Cleaning of 16 Rapid Rate Gravity Filters at the Chestnut Street Water Treatment Plant.

RESIDUAL WASTE GENERAL PERMITS

Application(s) Received Under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and the Beneficial Use of Residual Waste other than Coal Ash.

Northeast Region: Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

General Permit Application No. WMGR028-NE003. H&K Group, Inc., 2052 Lucon Road, P.O. Box 196, Skippack, PA 19474. A permit renewal application for continued coverage under General Permit WMGR028 for the beneficial use of baghouse fines from the Pikes Creek Asphalt Plant located in Lehman Township, **Luzerne County**. The application was received by the Department on February 7, 2017 and deemed administratively complete by the Regional Office on March 20, 2017.

General Permit Application No. WMGR028-NE003A. H&K Group, Inc., 2052 Lucon Road, P.O. Box 196, Skippack, PA 19474. A permit renewal application for continued coverage under General Permit WMGR028 for the beneficial use of baghouse fines from the Locust Ridge Quarry/Asphalt Plant located in Tobyhanna Township, **Monroe County**. The application was received by the Department on February 7, 2017 and deemed administratively complete by the Regional Office on March 20, 2017.

General Permit Application No. WMGR028-NE003B. H&K Group, Inc., 2052 Lucon Road, P.O. Box 196, Skippack, PA 19474. A permit renewal application for continued coverage under General Permit WMGR028 for the beneficial use of baghouse fines from the A.B.E Materials (Easton) Plant located in Lower Mount Bethel Township, **Northampton County**. The application was received by the Department on February 7, 2017 and deemed administratively complete by the Regional Office on March 20, 2017.

General Permit Application No. WMGR028-NE003C. H&K Group, Inc., 2052 Lucon Road, P.O. Box 196, Skippack, PA 19474. A permit renewal application for continued coverage under General Permit WMGR028 for the beneficial use of baghouse fines from the Dunmore Materials Asphalt Plant located in Dunmore Borough, **Lackawanna County**. The application was received by the Department on February 7, 2017 and deemed administratively complete by the Regional Office on March 20, 2017.

Comments concerning the application should be directed to Roger Bellas, Environmental Program Manager, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915 at 570-826-2511. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

The Department has developed an "integrated" plan approval, State Operating Permit and Title V Operating Permit program. This integrated approach is designed to make the permitting process more efficient for the Department, the regulated community and the general public. This approach allows the owner or operator of a facility to submit permitting documents relevant to its application for all sources related to a facility or a proposed project, affords an opportunity for public input, and provides for a decision on the issuance of the necessary permits.

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

Copies of the application, the Department's analysis, all pertinent documents used in the evaluation of the application and subsequently prepared proposed plan approvals/operating permits are available for public review during normal business hours at the appropriate Department Regional Office. Appointments for scheduling a review must be made by calling the appropriate Department Regional Office. The address and phone number of the Regional Office is listed before the application notices.

Persons wishing to file a written protest or provide comments or additional information, which they believe should be considered prior to the issuance of a permit, may submit the information to the Department's Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments, protests and information. Each submission must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval/Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the permit.

A person wishing to request a hearing may do so during the 30-day comment period. A public hearing may be held, if the Department, in its discretion, decides that a hearing is warranted based on the information received. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper, the *Pennsylvania Bulletin* or by telephone, when the Department determines this type of notification is sufficient. Requests for a public hearing and any relevant information should be directed to the appropriate Department Regional Office.

Permits issued to the owners or operators of sources subject to 25 Pa. Code Chapter 127, Subchapter D or E, or located within a Title V facility or subject to 25 Pa. Code § 129.51(a) or permits issued for sources with limitations on their potential to emit used to avoid otherwise applicable Federal requirements may be submitted to the United States Environmental Protection Agency for review and approval as a revision to the State Implementation Plan. Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the sources are constructed and operating in compliance with applicable requirements in the Air Pollution Control Act (35 P.S. §§ 4001—4015), 25 Pa. Code Chapters 121—145, the Federal Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.

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

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.

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

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.

67-03178A: White Metal Recycling, Inc. (150 South Orchard Street, Yoe, PA 17313) for the construction of two (2) natural gas-fired secondary aluminum sweat furnaces each controlled by two dedicated afterburners at its metal recycling facility located in York Township, **York County**. The maximum expected increases in facility emissions as a result of the changes proposed are: 3.3 TPY NO_x; 2.8 TPY CO; 0.3 TPY PM₁₀; 0.3 TPY PM_{2.5}; 0.2 TPY VOC; and 0.1 TPY total HAPs. The facility is a State-Only facility. The Department's review of the information submitted by the applicant indicates that the air contamination source as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology (BAT) requirements of 25 Pa. Code §§ 127.1 and 127.12, and 40 CFR Part 63, Subpart RRR—National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production. Based on these findings, the Department proposes to issue a plan approval for the proposed construction. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specifications of the application for plan approval, the requirements established in the plan approval may be included in the facility's initial State-Only Operating Permit pursuant to the provisions of 25 Pa. Code §§ 127.441 and 127.443.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.

Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648.

18-00026E: First Quality Products, Inc. (Clinton County Industrial Park, 121 North Road, McElhatten, PA 17748-0270) for the construction of a Curt G. Joa underpad machine (NGB03) in Wayne Township, **Clinton County**. The Department of Environmental Protection's (Department) review of the information submitted by First Quality Products, Inc. indicates that the air contamination sources to be constructed will comply with all regulatory requirements pertaining to air contamination sources and the best available technology requirements (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue a plan approval for the proposed construction. The emission from the proposed sources included in this project will not exceed the following limits: VOCs—1.91 ton per year; and PM₁₀—0.011 ton per year.

In addition to the emission limitations, the following is a brief description of the conditions the Department intends to place in the plan approval to ensure compliance with all applicable air quality regulatory requirements. Pursuant to the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12:

1) the concentration of particulate matter in the exhaust of Control Device C116 shall not exceed 0.005 grain per dry standard cubic foot of effluent gas volume. Additionally, there shall be no visible emissions from the exhaust of Control Device C116. Compliance with this condition also ensures compliance with 25 Pa. Code §§ 123.13 and 123.41;

2) the total combined volatile organic compound emissions resulting from adhesive, ink and cleanup solvent usage associated with Source P116 shall not exceed 1.91 ton in any 12-consecutive month period and there shall be no volatile hazardous air pollutant emissions;

3) the volatile organic compound emissions resulting from the usage of all hot melt adhesives associated with Source P116 shall not exceed 1.21 ton in any 12-consecutive month period;

4) the acetone emissions resulting from the usage of all solvents associated with Source ID P116 shall not exceed 0.98 ton in any 12-consecutive month period;

5) the volatile organic compound emissions from the inks, makeup fluids and wash solvents usage associated with box printing operation of Source ID P116 shall not exceed 0.49 ton in any 12-consecutive month period;

6) the volatile organic compound emissions from the general-purpose cleaning solvents (excluding acetone) associated with operation of Source ID P116 shall not exceed 0.21 ton in any 12-consecutive month period;

7) Control Device C116 shall be equipped with instrumentation to continuously monitor the differential pressure across each of its four (4) component sections on a continuous basis. Such instrumentation shall be operated at any time the respective control device is being operated;

8) the air compressor(s) supplying compressed air to Control Device C116 shall be equipped with an air dryer and an oil trap;

9) all containers of volatile organic compound-containing materials, volatile hazardous air pollutant-containing materials and acetone-containing materials shall be kept closed except when removing material from, or placing material into, the containers. Any volatile organic compound-containing, volatile hazardous air pollutant-containing or acetone-containing cleaning cloths or rags shall be stored in closed containers except when in actual use and shall never be treated in any manner which would unnecessarily promote the evaporative loss of any volatile organic compound, volatile hazardous air pollutant or acetone to the atmosphere;

10) the permittee shall keep on hand a sufficient quantity of spare drum filters, cartridge filters (pocket type and cassette type) and HEPA filters for Control Device C116 in order to be able to immediately replace any worn or damaged drum filters, cartridge filters or HEPA filters requiring replacement due to deterioration;

11) the total combined volatile organic compound-containing cleanup solvent used in association with Source P116 and associated box printers shall not exceed 80 gallons in any 12-consecutive month period. Additionally, as described in the plan approval application, the permittee shall only use isopropyl alcohol, mineral spirit, goof off and Turtle wax super hard shell liquid wax (product code: T-123R(c)(s)/T-127R(c)) as cleaning solvents in Source ID P116;

12) the total combined volatile organic compound-containing ink used in association with Source P116 and associated box printers shall not exceed 65 gallons in any 12-consecutive month period. The total combined volatile organic compound-containing makeup used in association with Source P116 and associated box printers shall not exceed 365 gallons in any 12-consecutive month period;

13) the cleanup solvent and solvent in the inks used in the bag printers associated with Source P116 shall be acetone only;

14) any ink, solvent or adhesives used on Source P116 shall not contain any volatile hazardous air pollutants (VHAPs) and hazardous air pollutants (HAPs);

15) the adhesives used on, or in association with, Source P116 shall be restricted to hot melt adhesives which do not contain, as an intentionally added ingredient, any volatile organic compound or volatile hazardous air pollutant. Such hot melt adhesives may however result in the emission of volatile organic compounds provided the emissions do not exceed 0.003 pound per pound of adhesive used.

Additionally, the permittee shall maintain accurate and comprehensive records of the identity and amount of each adhesive, ink, cleanup solvent and any other volatile organic compound-containing material, volatile hazardous air pollutant-containing material or acetone-containing material used in, or in association with, Source P116 during each month. The permittee shall keep records of the volatile organic compound content of each such material, the content of each individual hazardous air pollutant in each such material and the acetone content of each such material. All records generated pursuant to this condition shall be retained for at least five (5) years and shall be made available to the Department upon request. The permittee shall submit a report each year listing the identity and amount of each adhesive, ink, cleanup solvent and any other volatile organic compound-containing material, volatile hazardous air pollutant-containing material or acetone-containing material used in, or in association with, Source P116 during each month. The permittee shall keep records of the volatile organic compound content of each such material, the content of each individual hazardous air pollutant in each such material and the acetone content of each such material. Each annual report shall be submitted to the Department by no later than March 1 of each year (for the immediately-preceding January 1 through December 31 twelve consecutive month period).

The facility will remain a natural minor facility. If the Department determines that the sources are modified and operated in compliance with the plan approval conditions and the specifications of the application for Plan Approval 18-00026E, the requirements established in the plan approval will be incorporated into a State Only Operating Permit pursuant to 25 Pa. Code § 127.411. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

47-00015A: Headwaters Construction Materials, LLC (10701 South River Front Parkway, Suite 300, South Jordan, UT 84095) for the construction of a flyash processing operation at the Montour Steam Electric Station's Area 2 Landfill located in Derry Township, **Montour County**. Headwaters is proposing to reclaim flyash buried at the Montour SES Area 2 Landfill and process the ash through a rotary dryer equipped with a 49.3 MMBtu/hr natural gas-fired burner to remove moisture from the flyash. Dried flyash will be stored in either a new silo proposed as part of the project and/or two existing silos located at the Montour SES facility prior to loadout onto trucks for sale. Emissions from the proposed dryer, storage silos, and certain locations within the material handling operation will be controlled by fabric collectors. The Department of Environmental Protection's (Department) review of the information submitted by

Headwaters indicates that the air contamination sources to be constructed will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue a plan approval for the proposed construction.

The emission from the proposed project will not exceed the following limits:

Rotary Dryer w/Baghouse: 14.4 tons/year (TPY) of NO_x, 45.5 TPY of carbon monoxide, 3.05 TPY of Filterable PM, 4.99 TPY of PM₁₀ and PM_{2.5}, 7.9 TPY of VOCs, 0.1 TPY of SO_x, 0.2 TPY of HAPs, and 14,806 TPY of GHGs.

Material Handling Operation # 1: 0.19 TPY of PM, 0.10 TPY of PM₁₀, and 0.06 TPY of PM_{2.5}

Material Handling Operation # 2: 0.68 TPY of PM, 0.32 TPY of PM₁₀, and 0.05 TPY of PM_{2.5}

Storage Silos: 0.35 TPY of PM, 0.12 TPY of PM₁₀ and PM_{2.5}

Truck Loadout: 1.23 TPY of PM, 0.34 TPY and PM_{2.5}

Roadway Emissions: 6.41 TPY of PM, 1.59 TPY of PM₁₀, and 0.22 TPY of PM_{2.5}

Landfill Activities: 3.42 TPY of PM, 1.62 TPY of PM₁₀, and 0.25 TPY of PM_{2.5}

In addition to the emission limitations, the Department intends to place monitoring, recordkeeping, and reporting conditions in the plan approval to ensure compliance with all applicable air quality regulatory requirements.

The facility is a State Only facility. If the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for Plan Approval 47-00015A, the requirements established in the plan approval will be incorporated into State Only Operating Permit 47-00015 pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

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

Contact: David Balog, New Source Review Chief—Telephone: 814-332-6328.

43-384A: Davis Alloys Manufacturing, LLC (295 East High Street, Sharpsville, PA 16150), The Department intends to issue a plan approval to Davis Alloys Manufacturing for the installation and operation of: eight (8) electric induction furnaces, casting processes, one (1) sand handling system, media blasting processes, and one hammer mill. This existing natural minor facility (non-Title V) is located in Sharpsville Borough, **Mercer County**.

This application was reviewed to evaluate the project's incorporation of Best Available Technology. Emissions from the facility will be controlled through a bag house fabric filter and a cartridge dust collector. Compliance will be demonstrated through stack testing. It is estimated that the potential to emit emission rates from the facility will total less than 5.0 tpy of PM.

Public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44.

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

In accordance with 25 Pa. Code § 127.44(e)(1), all the pertinent documents regarding this application (applications, review memos, and draft approvals) are also available for review from 8:00 a.m. to 4:00 p.m. at the Meadville Regional DEP office (Air Quality). Appointments for scheduling a review must be made by calling the DEP (814) 332-6340.

In accordance with 25 Pa. Code § 127.44(e)(2), a 30-day comment period, from the date of publication, will exist for the submission of comments. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to Regional Air Quality Program Manager, Pennsylvania Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494 and must contain the name, address and telephone number of the person submitting the comments, identification of the proposed plan approval [43-384A: Davis Alloys Manufacturing] and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Christina Nagy, 230 Chestnut St., Meadville, PA 16335; Phone (814) 332-6411.

In accordance with 25 Pa. Code § 127.45, a person may oppose the proposed plan approval by filing a written protest with the Department's Northwest Region.

OPERATING PERMITS

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

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

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.

22-05012: ArcelorMittal Steelton, LLC (215 South Front Street, Steelton, PA 17113-2538) for their steel manufacturing facility in Steelton Borough, **Dauphin County**. Actual emissions from the facility in 2015 were estimated at 216.20 tons CO, 199.90 tons NO_x, 22.11 tons PM₁₀, 20.10 tons PM_{2.5}, 2.47 tons SO_x, 49.96 tons VOC, 0.62 ton of a single HAP (hexane), and 0.78 ton of combined HAPs. The Title V Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from §§ 123.11, 123.22 & 129.63, 40 CFR 60, Subpart Dc—Standards of Performance

for Small Industrial-Commercial-Institutional Steam Generating Units, 40 CFR 60, Subpart AA—Standards of Performance for Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 17, 1983, 40 CFR 63, Subpart YYYYYY—National Emission Standards for Hazardous Air Pollutants for Area Sources: Electric Arc Furnace Steel-making Facilities, and 40 CFR 64—Compliance Assurance Monitoring (CAM) for Major Stationary Sources.

Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104.

Contact: Edward Wiener, Chief—Telephone: 215-685-9426.

The City of Philadelphia, Air Management Services (AMS) intends to renew a Title V/State Operating Permit for the following facility:

V14-026: Temple University, Health Sciences Campus (3401 North Broad Street, Philadelphia, PA 19140) for the operation of a hospital, college, university, & professional school in the City of Philadelphia, **Philadelphia County**. The Title V facility's air emission sources include the following: three (3) 74.6 MMBtu/hr boilers firing natural-gas (NG) or No. 2 fuel oil; one (1) 1.01 MMBtu/hr boiler firing NG or No. 2 fuel oil; one (1) 0.0947 MMBtu/hr boiler firing NG; four (4) fire pumps, each rated 250 kilowatt (kw) or less, firing No. 2 fuel oil; three (3) emergency generators, each rated 250 kw or less, firing natural gas; six (6) emergency generators, each rated 746 kw or greater, firing No. 2 fuel oil; and (10) emergency generators, each rated less than 500 kw, firing No. 2 fuel oil or diesel fuel.

The operating permit will be reissued under 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 Mr. 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 and 25 Pa. Code Chapter 127, Subchapter F.

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

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

09-00037: Westrock Packaging, Inc. (3001 State Road, Croydon, PA 19021), located in Bristol Township, **Bucks County**. This action is the renewal of a facility-wide Operating Permit. The facility's emission points include a 10-station rotogravure printing press, a small 7-station flexographic printing press, various seaming machines, and three (3) parts washers. Volatile Organic Compound (VOC) emissions are routed to a regenerative thermal oxidizer. The facility is a Synthetic Minor for

VOC emissions and an Area Source for Hazardous Air Pollutant (HAP) emissions. There are no new sources at the facility and no new applicable regulations in this permit. The requirements of 25 Pa. Code § 129.67a apply to flexible packaging printing presses (Source ID 203 and Source ID 204A) and are incorporated into the renewal permit as applicable. The facility is subject to the recordkeeping requirements of 40 C.F.R. Part 63 Subpart KK—National Emission Standards for Hazardous Air Pollutants in the Printing and Publishing Industry because the facility commits to the facility-wide HAP cap. The printing presses are subject to the requirements of 25 Pa. Code § 129.67 Graphic Arts Systems and 25 Pa. Code § 129.52 Surface Coating Operations. Adhesives applied at Source ID 205 are subject to the requirements of 25 Pa. Code § 129.77. Sources at the facility are not subject to Compliance Assurance Monitoring (CAM) pursuant to 40 CFR Part 64, and the facility is not subject to the Greenhouse Gas Requirements pursuant to the GHG Tailoring Rule, 40 CFR Parts 51, 52, 70, and 71, et al. The renewal permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.

01-03010: Dal Tile Corp./Gettysburg (211 N. 4th Street, Gettysburg, PA 17325) to issue a State Only Operating Permit for the ceramic tile manufacturing facility in Gettysburg Borough, **Adams County**. The facility potential emissions are 8.5 tons of CO, 10.1 tons of NO_x, 1.1 ton of PM, 0.06 ton of SO_x, and 0.4 ton of VOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

01-03016: Dal Tile Corp./Lincoln Way East (2938 York Road, Gettysburg, PA 17325) to issue a State Only Operating Permit for the ceramic tile manufacturing facility in Straban Township, **Adams County**. The facility potential emissions are 12.6 tons of CO, 13.0 tons of NO_x, 15.5 tons of PM, 6.3 tons of SO_x, 1.2 ton of VOC, 4.3 tons of HCl, and 4.7 tons of HF. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR Part 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

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

Contact: David Balog, New Source Review Chief—Telephone: 814-332-6328.

37-00274: Kasgro Rail Corporation (121 Rundle Road, New Castle, PA 16102) for a renewal operating permit located in Taylor Township, **Lawrence County**. The facility manufactures and surface coats rail cars. The significant sources at the facility are the M/U air furnace,

a paint booth, a blast booth, and welding/fabricating operations. The VOC emissions from the facility are limited to less than 2.7 TPY on a 12-month rolling total. The conditions of the previous plan approvals and operating permit were incorporated into the renewal permit.

61-00007: IA Construction Corporation, Franklin Plant (PO Box 568, Franklin, PA 16323) for a Synthetic Minor Operating Permit to operate a hot mix asphalt plant located in Sugarcreek Borough, **Venango County**. The significant sources are the hot mix batch plant (180 TPH) and portable crusher, screen and diesel generator. The facility has taken a restriction on production not exceeding 495,000 tons per year to qualify as a Synthetic Minor facility. The actual emissions reported by the facility for 2015 were 11.1 TPY CO, 2.2 TPY NO_x, 3.9 TPY, PM₁₀, 0.1 TPY SO_x, and 0.2 TPY VOC based on 55,722 TPY of production.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); The Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.20a). Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department. A copy of the application is available for inspection at the district mining office indicated before each application. Notices of requests for 401 Water Quality Certifications are included in individual application notices, as noted.

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application and request for Section 401 water quality certification application may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the address of the district mining office indicated before each application within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

Written comments or objections regarding a mining permit application should contain the name, address and telephone number of persons submitting comments or objections, application number and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based.

A request for an informal conference or a public hearing, as applicable, on a mining permit application, as provided by 25 Pa. Code § 77.123 or § 86.34, must contain the name, address and telephone number of the requestor; the application number; a brief summary of the

issues to be raised by the requestor at the conference; and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

When an NPDES number is listed, the mining activity permit application was accompanied by an application for an individual NPDES permit. A separate notice will be provided after the draft NPDES permit is prepared.

Coal Applications Received

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

30841316 and NPDES No. PA0213535. Consol Pennsylvania Coal Company LLC, (1000 Consol Energy Drive, Canonsburg, PA 15317). To revise the permit for the Bailey Mine & Prep Plant in Richhill Township, **Greene County** and related NPDES Permit for installation of 7L Bleeder Shaft. Surface Acres Proposed 119.5. No additional discharges. The application was considered administratively complete on March 22, 2017. Application received January 19, 2017.

56951301 and NPDES No. PA0214850. RoxCoal, Inc., (1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541). To renew the permit for the Augustus Mine in Shade and Stonycreek Townships, **Somerset County** and related NPDES Permit for reclamation only. No additional discharges. The application was considered administratively complete on March 23, 2017. Application received January 16, 2016.

03841308 and NPDES No. PA0214744. Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201). To renew the permit for the Rosebud No. 1 Deep Mine in Perry Township, **Armstrong County** and related NPDES Permit for post mining treatment only. No additional discharges. The application was considered administratively complete on March 23, 2017. Application received November 23, 2016.

56841606 and NPDES No. PA0110507 and GP12-56841606. Brothersvalley Coal Sales, Inc., (3070 Stoystown Road, Stoystown, PA 15563). To renew the permit for the Scurfield Coal Preparation Plant in Brothersvalley Township, **Somerset County** and related NPDES Permit. Included renewal of Air Quality GPA/GP12 Authorization. No additional discharges. The application was considered administratively complete on March 24, 2017. Application received January 3, 2017.

56841321 and NPDES No. PA0001881. Miller Springs Remediation Management, Inc., (5 Greenway Plaza, Suite 110, Houston, TX 77046). To renew the permit for the Bird Mine No. 2/No. 3 in Conemaugh Township, **Somerset County**, Stonycreek Township, **Cambria County** and related NPDES Permit for water treatment only. No additional discharges. The application was considered administratively complete on March 27, 2017. Application received June 7, 2016.

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

Permit No. 32160101 and NPDES No. PA0279498. P&N Coal Co., Inc., P.O. Box 332, Punxsutawney, PA 15767, commencement, operation and restoration of a bituminous surface mine in Banks and Burnside Townships, **Indiana and Clearfield Counties**, affecting 82.3 acres. Receiving streams: unnamed tributaries to Cush Creek, classified for the following use: cold water fishes.

There are no potable water supply intakes within 10 miles downstream. Application received: March 13, 2017.

Permit No. 56120101. Wilson Creek Energy LLC, 1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541, permit renewal for reclamation only of a bituminous surface and auger mine in Jenner Township, **Somerset County**, affecting 56.5 acres. Receiving stream: Hoffman Run, classified for the following use: cold water fishes. The first downstream potable water supply intake from the point of discharge is Quemahoning Reservoir. Application received: March 20, 2017.

Permit No. 56090113 and NPDES No. PA0262935. PBS Coals Inc., 1576 Stoystown Road, Friedens, PA 15541, commencement, operation and restoration of a bituminous surface and auger mine to change the land use from woodland to pastureland in Stonycreek Township, **Somerset County**, affecting 204.9 acres. Receiving stream: Schrock Run, classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: March 20, 2017.

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

43910102. The Ambrosia Coal & Construction Co. (P.O. Box 332, Edinburg, PA 16116) Renewal of an existing bituminous surface and auger mine in Mill Creek Township, **Mercer County**, affecting 350.0 acres. Receiving streams: Unnamed tributary to Little Sandy Creek, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: March 22, 2017.

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

Permit No. 54080102R. Keystone Anthracite Co., Inc., (259 N. 2nd Street, Girardville, PA 17935), renewal of an existing anthracite surface mine, coal refuse reprocessing and refuse disposal operation in West Mahanoy Township, **Schuylkill County** affecting 784.0 acres, receiving stream: Shenandoah Creek, classified for the following uses: warm water fishes and migratory fishes. Application received: March 8, 2017.

Permit No. 54-305-025GP12R. Keystone Anthracite Co., Inc., (259 N. 2nd Street, Girardville, PA 17935), renewal application to operate a coal preparation plant whose pollution control equipment is required to meet all applicable limitations, terms and conditions of General Permit, BAQ-GPA/GP-12 on Surface Mining Permit No. 54080102 in West Mahanoy Township, **Schuylkill County**. Application received: March 8, 2017.

Permit No. 19950102R4. N & L Coal Company, (212 West Cherry Street, Mt. Carmel, PA 17851), renewal for reclamation activities only of an anthracite surface mine operation in Conyngham and Mt. Carmel Townships, **Columbia and Northumberland Counties** affecting 961.3 acres, receiving stream: Shamokin Creek, classified for the following use: warm water fishes. Application received: March 16, 2017.

Noncoal Applications Received

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

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

* The parameter is applicable at all times.

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

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

37010301. Allegheny Mineral Corporation (P.O. Box 1022, Kittanning, PA 16201) Renewal of an existing NPDES Permit No. PA0241881 in Slippery Rock Township, **Lawrence County**. Receiving streams: Unnamed tributaries to Slippery Rock Creek, classified for the following uses: CWF. The first downstream potable waters supply intake from the point of discharge is Camp Allegheny. Application received: March 20, 2017.

37960301. ESSROC Cement Corporation (3251 Bath Pike, Nazareth, PA 18064) Renewal of an existing NPDES Permit No. PA0227188 in North Beaver & Mahoning Townships, **Lawrence County**. Receiving streams: Unnamed tributary to Mahoning River, classified for the following uses: WWF; and unnamed tributary to Hickory Run, classified for the following uses: TSF. There are no potable surface water supply intakes within 10 miles downstream. Application received: March 20, 2017.

New Stanton District Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500.

63100401 and NPDES Permit No. PA0252034. Neiswonger Construction, Inc. (17592 Route 322, Strattanville, PA 16258). NPDES renewal application for continued mining to an existing large noncoal surface mine, located in Deemston Borough, **Washington County**, affecting 67.6 acres. Receiving streams: unnamed tributaries to Ten Mile Creek and Ten Mile Creek, classified for the following use: TSF. The potable water supplies with intake within 10 miles downstream from the point of discharge: Tri-County Joint Municipal Authority, Newel Municipal Authority, and PAWC-Brownsville. Renewal application received: March 22, 2017.

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

Permit No. 58110305C and NPDES Permit No. PA0225142. Pennsy Supply, Inc., (P.O. Box 3331, Harrisburg, PA 17105), renewal of an NPDES permit for discharge of treated mine drainage on a quarry operation in Middleton Township, **Susquehanna County** affecting 95.4 acres, receiving stream: unnamed tributaries to West Branch Wyalusing Creek, classified for the following uses: cold water and migratory fishes. Application received: March 13, 2017.

MINING ACTIVITY NPDES DRAFT PERMITS

This notice provides information about applications for a new, amended or renewed NPDES permits associated with mining activity (coal or noncoal) permits. The applications concern industrial waste (mining) discharges to surface water and discharges of stormwater associated with mining activities. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

The Department of Environmental Protection (Department) has prepared a draft NPDES permit and made a tentative determination to issue the NPDES permit in conjunction with the associated mining activity permit.

Effluent Limits for Coal Mining Activities

For coal mining activities, NPDES permits, when issued, will contain effluent limits that are the more stringent of technology-based (BAT) effluent limitations or Water Quality Based Effluent Limits (WQBEL).

The BAT limits for coal mining activities, as provided in 40 CFR Part 434 and 25 Pa. Code Chapters 87—90 are as follows:

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Iron (Total)	3.0 mg/l	6.0 mg/l	7.0 mg/l
Manganese (Total)	2.0 mg/l	4.0 mg/l	5.0 mg/l
Suspended solids	35 mg/l	70 mg/l	90 mg/l
pH* Alkalinity greater than acidity*		greater than 6.0; less than 9.0	

* The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applies to: surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; mined areas backfilled and revegetated; and all other discharges and drainage (resulting from a precipitation event of greater than 1-year 24-hour to less than or equal to a 10-year 24-hour event) from coal refuse disposal piles. Similarly, modified BAT limits apply to iron, manganese and suspended solids in surface runoff, discharges and drainage resulting from these precipitation events and those of greater magnitude in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Exceptions to BAT effluent limits may be applicable in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Effluent Limits for Noncoal Mining Activities

The limits for noncoal mining activities as provided in 25 Pa. Code Chapter 77 are pH 6 to 9 and other parameters the Department may require.

Discharges from noncoal mines located in some geologic settings (for example, in the coal fields) may require additional water quality based effluent limits. If additional effluent limits are needed for an NPDES permit associated with a noncoal mining permit, then the permit description specifies the parameters.

In addition to BAT or WQBEL limits, coal and noncoal NPDES permits establish effluent limitations in the form of implemented Best Management Practices (BMPs) identified in the associated Erosion and Sedimentation Plan, the Reclamation Plan and the NPDES permit application. These BMPs restrict the rates and quantities of associated pollutants from being discharged into surface waters in this Commonwealth.

More restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining that may occur are incorporated into an NPDES permit when necessary for compliance with water quality standards and antidegradation requirements (in accordance with 25 Pa. Code Chapters 91—96).

The procedures for determining the final effluent limits, using a mass-balance equation or model, are found in Technical Guidance Document 563-2112-115, Developing National Pollutant Discharge Elimination System (NPDES) Permits for Mining Activities. Other specific factors to be considered include public comments and Total Maximum Daily Load(s). Additional discharge limitations may apply in the event that unexpected discharges occur.

Discharge rates for surface mining activities are precipitation driven. Discharge rates for proposed discharges associated with underground mining are noted in the permit description.

Persons wishing to comment on an NPDES draft permit should submit a written statement to the Department at the address of the district mining office indicated before each draft permit within 30 days of this public notice. Comments received within the comment period will be considered in the final determinations regarding the NPDES permit applications. Comments must include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department will also accept requests or petitions for a public hearing on NPDES permit applications, as provided in 25 Pa. Code § 92a.82(d). The request or petition for a public hearing shall be filed within 30 days of this public notice and contain the name, address, telephone number and the interest of the party filing the request, and state the reasons why a hearing is warranted. A public hearing may be held if the Department considers the public interest significant. If a hearing is scheduled, a notice of the hearing on the NPDES permit application will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. When a public hearing is held, the Department will consider comments from the public hearing in the final determination on the NPDES permit application.

Coal NPDES Draft Permits

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200.

NPDES PA0269743 (Mining permit no. 17140103), RES Coal, LLC, 224 Grange Hall Road (P.O. Box 228), Armagh, PA 15920, new NPDES permit for Bituminous Surface Coal Mining in Chest & Burnside Townships, **Clearfield County** affecting 124.2 acres. Receiving stream(s): Spring Run, classified for the following use(s): CWF. Application received: September 8, 2016.

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

The outfall(s) listed below discharge to Spring Run:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
001 (SP-A)	Y
002 (SP-B)	Y
003 (SP-C)	Y
004 (SP-D)	Y
005 (SP-E)	Y
006 (TF-1)	Y
007 (TF-2)	Y
008 (TF-3)	Y

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		7.0	7.0	7.0

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Alkalinity greater than acidity ¹				
Total Suspended Solids (mg/l)		35.0	70.0	90.0
Total Settleable Solids (ml/l)				0.5

¹ This parameter is applicable at all times.

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

NPDES Permit No. PA0594792 on Underground Mining Permit No. 54901302. Carline Coal Co., Inc., (P.O. Box 188, Sacramento, PA 17968), renewal of an NPDES Permit for an Anthracite Underground Mine operation in Hegins Township, **Schuylkill County**, affecting 5.7 (surface) acres. Receiving stream: West Branch Rausch Creek, classified for the following use: cold water fishes (TMDL for AMD, Ph). Application received: February 15, 2017.

The proposed average daily discharge rate for Outfall 001 is 0.3 MGD.

The outfall listed below discharge to West Branch Rausch Creek:

<i>Outfall</i>	<i>New Outfall (Y/N)</i>
001	No

The proposed effluent limits for the above listed outfall.

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		0.75	1.5	1.75
Alkalinity greater than acidity ¹				
Total Suspended Solids		35.0	70.0	90.

¹ The parameter is applicable at all times.

Noncoal NPDES Draft Permits

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200.

NPDES PA0257419 (Mining Permit No. 08100303), Robert Johnson Flagstone, Inc., 3658 Old Stagecoach Road, Wyalusing, PA 18853, renewal of an NPDES permit for Noncoal Surface Mine in Herrick and Wyalusing Townships, **Bradford County**, affecting 42.7 acres. Receiving stream(s): Unnamed Tributary to Wyalusing Creek and Camps Creek, both classified for the following use(s): WWF. Application received: February 27, 2017.

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

The outfall(s) listed below discharge to Unnamed Tributary to Wyalusing Creek and Camps Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
001	N
002	N

NPDES PA0257541 (Mining Permit No. 08110302), Hanson Aggregates Pennsylvania LLC, 7660 Imperial Way, Allentown, PA 18195, renewal of an NPDES permit for Noncoal Surface Mine in Wilmot Township, **Bradford County**, affecting 61.11 acres. Receiving stream(s): Unnamed Tributary to Panther Creek, classified for the following use(s): CWF, MF. Application received: February 9, 2017.

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

The outfall(s) listed below discharge to Unnamed Tributary to Panther Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
001	N

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the Commonwealth to certify that the involved projects will not violate the sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as

relevant State requirements. Persons objecting to approval of a request for certification under section 401 of the FWPCA, the issuance of a Dam Permit or Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment shall submit comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted before an application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a

concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. Each individual will be notified, in writing, of the time and place of a scheduled hearing or conference concerning the certification request to which the comment, objection or suggestion relates. Maps, drawings and other data pertinent to the certification request are available for inspection between 8 a.m. and 4 p.m. on working days at the office noted before the application.

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

Applications Received under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and Requests for Certification under section 401(a) of the FWPCA.

WATER OBSTRUCTIONS AND ENCROACHMENTS

Southeast Region: Waterways and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5900.

E46-1150: Hatfield Township, 1950 School Road, Hatfield, PA 19440-1992, Hatfield Township, **Montgomery County**, ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities within the floodway/floodplain of the Unionville Tributary to West Branch Neshaminy Creek (WWF, MF), and the wetlands (PFO) associated with the Township's trail network. (Total wetland impact will be 0.0271 AC).

1. To maintain three existing culverts including their outfalls to the creek.

2. To remove the existing trail over the wetlands at two locations and replace both with 10-foot wide board walks of approximate size 145, and 45 linear feet.

3. To construct and maintain 10 concrete stepping stone pedestrian crossing. Stepping stones are 1.5 feet apart, 16-inches wide, 16-inches long, and about 0.4 feet above the normal water surface level.

The site is located at about 400 feet northwest of the intersection of Line Lexington Road and Valley Woods Road (USGS Telford, PA Quadrangle Latitude 40.280490; Longitude -75.270504).

E09-1010. Alexis Larinov, 17 N. 3rd Street, Philadelphia, PA 19123, Lower Makefield Township, **Bucks County**, ACOE Philadelphia District.

To remove the existing two story dwelling and to construct and maintain a new house at the same location, above the 100-year floodway of the Delaware River. (WWF, MF)

The site is located at 191 River Road, Lower Makefield, PA (USGS Quadrangle, Pennington, NJ-PA, Latitude: 40.1536; Longitude: -74.519).

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

E40-791. Sunoco Logistics Partners, LP, 525 Fritztown Road, Sinking Springs, PA 19608-1509, in Salem Township, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain the following water obstructions and encroachments associated with the protection of an existing exposed 6-inch diameter petroleum pipeline:

1) To stabilize and maintain a 45-foot reach of a UNT to North Branch Susquehanna River (CWF, MF) with bank protection consisting of a 45-foot long, 15-foot wide riprap armoring along the western bank.

2) To stabilize and maintain a 33-foot reach of a UNT to North Branch Susquehanna River (CWF, MF) consisting of a 33-foot long, 25-foot wide articulating grout mat along the western bank and within the stream channel.

3) To stabilize and maintain a 27-foot reach of a UNT to North Branch Susquehanna River (CWF, MF) consisting of a 27-foot long, 10-foot wide articulating grout mat along the eastern bank.

4) To stabilize and maintain a 53-foot reach of a UNT to North Branch Susquehanna River (CWF, MF) consisting of a 53-foot long, 5-foot high concrete revetment wall along the eastern bank.

5) To construct and maintain a rock cross vane drop structure within a UNT to North Branch Susquehanna River (CWF, MF) consisting of fifty-three (53) boulders stacked in two rows.

The project is located approximately 300 feet northeast of the intersection of U.S. Route 11 and Mingle Inn Road (Berwick, PA Quadrangle, Latitude: 41°6'36"; Longitude: -76°8'9").

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

E50-260: Pennsylvania Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110 in Rye Township, **Perry County**, U.S. Army Corps of Engineers Baltimore District.

To construct and maintain 25 linear feet of a 14 foot wide bridge, composed of 6 steel beams, pressure treated wood decking and concrete abutments, spanning an Un-named Tributary to Fishing Run (WWF, MF), to accommodate an existing access drive on State Game Lands (Latitude: 40° 20' 11" N; Longitude: 77° 06' 49" W).

E36-960: Plenary Walsh Keystone Partners, 2000 Cliff Mine Road, Park West Two, 3rd Floor, Pittsburgh, PA 15275 in Salisbury Township, **Lancaster County**, U.S. Army Corps of Engineers Baltimore District.

To remove the existing structure and to install and maintain a 105-foot long, 36.5 foot wide concrete box beam bridge having an under clearance of 8.45 feet over Pequea Creek (HQ-CWF, MF) (Latitude 40°01'44", Longitude -75°58'01") for the purpose of improving safety standards. No wetlands will be impacted by the activity.

E28-388: Joy El Ministries, 3741 Joy El Drive, Greencastle, Pennsylvania in Saint Thomas Township, **Franklin County**, U.S. Army Corps of Engineers Baltimore District.

To remove fill and to place and maintain: 1) fill, 2) a 26 foot by 20 foot open pavilion supported by 8-6 inch by 6 inch wood posts with concrete foundations, and 3) a 41 foot long segmental block retaining wall. All activities are located in the assumed floodway of Back Creek (WWF, MF) (Latitude: 39.8726, Longitude: -77.7861).

E28-387: Wal-Mart Stores East, LP, 2001 SE 10th Street, Mail Stop 5570, Bentonville, AR 72716 in Hamilton Township, **Franklin County**, U.S. Army Corps of Engineers Baltimore District.

To place and maintain fill in 0.037 acre of Palustrine Emergent Wetland (Latitude: 39.9349, Longitude: -77.6955) for the purpose of constructing an access drive to an F&M Bank building lot. The permanent impacts are de minimus and no mitigation is required.

E36-965: Eden Township Board of Supervisors, 489 Stony Hill Road, Quarryville, Pennsylvania, 17566 in Eden Township, **Lancaster County**, U.S. Army Corps of Engineers Baltimore District.

To 1.) relocate 55 feet of an unnamed tributary to Bowery Run (HQ-CWF); and 2.) install and maintain an 80-foot long, 48.0-inch diameter SLCPP with rip rap apron in an unnamed tributary to Bowery Run (HQ-CWF, MF) (Latitude: 39°53'19.9", Longitude: -76°07'30.8") for the purpose of improving safety standards and reducing the frequency of flooding on Hess Road. No wetlands will be impacted by this project.

E38-202: Vision Acquisitions III, L.P., Union Township, **Lebanon County**, U.S. Army Corps of Engineers Philadelphia District (Indiantown Gap Quadrangle, Latitude: 40.433705, Longitude: -76.522565).

To 1) construct and maintain a 48" SLCPP culvert crossing permanently impacting 123 linear feet of a UNT to Swatara Creek (WWF, MF);

2) construct and maintain a 6" waterline permanently impacting 1.98 square feet a UNT to Swatara Creek (WWF, MF);

3) construct and maintain a 2" sanitary line permanently impacting 3.33 square feet of a UNT to Swatara Creek (WWF, MF);

4) construct and maintain a 6" gas line permanently impacting square feet a UNT to Swatara Creek (WWF, MF);

5) construct and maintain an 84" RCP culvert permanently impacting 101 linear feet of a UNT to Swatara Creek (WWF, MF) and associated floodway and 309 square feet of PEM wetlands;

6) construct and maintain a 6" waterline permanently impacting 6.67 square feet of a UNT to Swatara Creek (WWF, MF);

7) construct and maintain a 2" sanitary line permanently impacting 6.67 square feet of a UNT to Swatara Creek (WWF, MF);

8) construct and maintain a 6" gas main permanently impacting 6.67 square feet of a UNT to Swatara Creek (WWF, MF);

9) install and maintain a 2" gas line permanently impacting 971.27 square feet of a UNT to Swatara Creek (WWF, MF);

10) install and maintain a 2" gas line permanently impacting 22 square feet of a UNT to Swatara Creek (WWF, MF), for the purpose of constructing two warehouse buildings and associated infrastructure.

The project is located at Bordnersville Road and Cavalry Road (Latitude: 40.433705, Longitude: -76.522565) in Union Township Lebanon County.

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

E19-315. Columbia County Redevelopment Authority, 700 Sawmill Road, Suite 101, Bloomsburg, PA 17815. Sugarloaf Township Municipal Building, in Sugarloaf Township, **Columbia County**, ACOE Baltimore District (Elk Grove, PA Quadrangle; Latitude: 41°16'27.1"; Longitude: 76°22'43.7").

The project proposed to restore 350 linear feet of the West branch of Fishing Creek Trout Stocked Fishery, with the placement of R-8 riprap. During construction, a temporary instream cofferdam will be utilized to dewater the work area. This project is located at the intersection of Grassmere Park Road and School House Road in Sugarloaf Township, Columbia County.

E19-316. Columbia County Redevelopment Authority, 700 Sawmill Road, Suite 101, Bloomsburg, PA 17815. Orangeville Sewage Treatment Plant, in Orangeville Borough, **Columbia County**, ACOE Baltimore District (Bloomsburg, PA Quadrangle; Latitude: 41°04'48.8"; Longitude: 76°25'4.8").

The project proposed to restore 110 linear feet of the West branch of Fishing Creek Trout Stocked Fishery, with the placement of R-7 riprap. During construction, a temporary instream cofferdam will be utilized to dewater the work area. This project is located 4.5 miles north on SR 487 from SR 80, Turn Left onto Pine Street to the Sewage Treatment plant in Orangeville Borough, Columbia County.

E19-317. Columbia County Redevelopment Authority, 700 Sawmill Road, Suite 101, Bloomsburg, PA 17815. Hollow Road, in Montour Township, **Columbia County**, ACOE Baltimore District (Catawissa, PA Quadrangle; Latitude: 40°58'2.7"; Longitude: 76°28'32.3").

The project proposed replace twin 24-inch culvert crossings with a single 60-inch culvert. The project also proposes to restore 105 linear feet of the Unnamed tributary to the Susquehanna River Cold Water Fishery, with the placement of R-8 riprap. During construction, a temporary instream cofferdam will be utilized to dewater the work area. This project is located 0.2 mile on Hollow road from the intersection with SR 42 south.

E19-318. Columbia County Redevelopment Authority, 700 Sawmill Road, Suite 101, Bloomsburg, PA 17815. Sugarloaf Township Ambulance Building, in Sugarloaf Township, **Columbia County**, ACOE Baltimore District (Elk Grove, PA Quadrangle; Latitude: 41°17'51.5"; Longitude: 76°22'28.3").

The project proposes to restore 225 linear feet of the West Branch of Fishing Creek High Quality Cold Water Fishery, with the placement of R-8 riprap. During construction, a temporary instream cofferdam will be utilized to dewater the work area. This project is in the town of Central behind the Sugarloaf Township Ambulance Building.

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

E63-698, Pennsylvania Turnpike Commission, P.O. Box 67676, Harrisburg, PA 17057, Robinson Township and Mount Pleasant Township, **Washington County**, Pittsburgh ACOE District.

The applicant is proposing to:

1. Place fill in 640 LF of an Unnamed Tributary (UNT) to Robinson Run (aka Robinson Run UNT 3) (WWF) to construct and maintain a 386' x 10' x 6' box culvert.

2. Place fill in 61 LF of stream channel, and relocate and maintain 839 LF of a UNT to Robinson Run (aka Robinson Run UNT 5) (WWF).

3. Place fill in 230 LF of a UNT to Robinson Run (aka Robinson Run UNT 5) (WWF) to construct and maintain a 124' × 14' × 6' box culvert.

4. Place fill in 168 LF of Robinson Run (WWF) to construct and maintain a 120' × 20' × 8' box culvert.

5. Place fill in 135 LF of in a UNT to Robinson Run (aka Robinson Run UNT 6) (WWF) to construct and maintain a 163.5' × 20' × 8' box culvert.

6. Place fill in 232 LF of a UNT to Robinson Run (aka Ephemeral Stream 1) (WWF) to construct and maintain a 216' × 2' culvert.

7. Place fill in 210 LF of a UNT to Robinson Run (aka Robinson Run UNT 13) (WWF) to construct and maintain a 409' × 4' culvert.

8. Place fill in 211 LF of a UNT to Robinson Run (aka Ephemeral Stream 9) (WWF) to construct and maintain the aforementioned 409' × 4' culvert.

9. Place and maintain fill in 56 LF of and UNT to Robinson Run (aka Ephemeral Stream 8) (WWF).

10. Place and maintain fill in 1,228 LF in a UNT to Robinson Run (aka Robinson Run UNT 4) (WWF).

11. Construct and maintain 70 LF of riprap streambank protection in a UNT to Robinson Run (aka Robinson Run UNT 4) (WWF).

12. Place and maintain fill in 43 LF in a UNT to Robinson Run (aka Ephemeral Stream 2) (WWF).

13. Place fill in 48 LF of a UNT to Robinson Run (aka Ephemeral Stream 3) (WWF) to construct and maintain a 43' × 4' culvert.

14. Place and maintain fill in 0.737 acre of PEM wetland in the Robinson Run watershed (WWF).

15. Install and maintain road associated stormwater facilities and outfalls in the Robinson Run watershed (WWF).

16. Place and maintain 16,467 cubic yards of fill in 0.097 acre of floodplain in the Robinson Run watershed (WWF).

In association with constructing a new section (Section 55A-2) of the Pennsylvania Turnpike, as a component of the overall construction of a new 13.3 mile section (aka The Southern Beltway Project) of the Pennsylvania Turnpike, between U.S. Route 22, and Interstate 79 (a.k.a. The Southern Beltway project). The structures and activities requiring authorization for Section 55B in Mount Pleasant and Robinson Townships, Washington County (Clinton, Oakdale, and Midway, PA Quadrangle; starting at Latitude: 40° 23' 21" Longitude: -80° 16' 49"; and ending at Latitude: 40° 21' 32" Longitude: -80° 15' 08") will permanently impact a total of approximately 4,171 linear feet (LF) of various watercourses, resulting in a permanent loss of 2,672 LF of regulated watercourses and 0.737 acre of wetland, and temporarily impact a total of approximately 2,134 LF of various watercourse and 0.411 acre of wetland.

To compensate for the watercourse impacts associated with Section 55A-2 of the Southern Beltway Project, the stream mitigation plan includes the on-site relocation of 839 LF of stream channel, and restoration of approximately 2,671 LF of various tributaries in the Buck Run watershed, in Donegal Township, Washington County

(West Middletown, PA Quadrangle; Latitude: 40° 8' 34" Longitude: -80° 25' 10"). Although final plans for future projects are not available, the applicant estimates that the aforementioned future subprojects and the current project will permanently affect a cumulative total of approximately 7.455 acres wetlands. As compensation for these wetland impacts, the applicant will construct approximately 8.3 acres of wetlands, at a site approximately 0.5 mile west of the intersection of S.R. 18, and Joffre Bulger Road, in Smith Township, Washington County (Clinton, PA Quadrangle; Latitude: 40° 23' 16" Longitude: -80° 22' 24").

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

E10-506, Iron Mountain Information Management, LLC, 1137 Branchton Road, Boyers, PA 16020. South Portal Rehabilitation, in Cherry Township, **Butler County**, ACOE Pittsburgh District (West Sunbury, PA Quadrangle N: 41°, 04', 05"; W: 79°, 53', 35").

The applicant proposes to rehabilitate and stabilize the slope above the three existing mine portal openings. Work includes excavation of the hillside to provide stable benches, construction of a permanent access road within the mine cut, installation of drainage control structures to manage groundwater drainage from the mine, and construction of a stormwater conveyance upslope of the proposed cut slope. The project will result in permanent impacts to 0.55 acre of wetland which has formed within the mine cut, temporary impacts to an additional 0.40 acre of wetland, floodway impact to 0.22 acre of 3 tributaries to South Branch Slippery Rock Creek, and permanent impact to 12 LF of a tributary to South Branch Slippery Rock Creek. The applicant proposes to mitigate for impacts by providing funds for the replacement of the water control structure at Harbor Acres Lake on State Game Lands 95 in Washington Township, Butler County. Replacement of this structure will allow PA Game Commission to control the water levels in the lake to promote shoreline wetland habitat and control invasive species.

E33-255, National Fuel Gas Distribution Company, 1100 State Street, Erie, PA 16501. 329-JO-034 Pipeline under Rattlesnake Run, in Snyder Township, **Jefferson County**, ACOE Pittsburgh District (Falls Creek, PA Quadrangle N: 41.220626°, W: -79.773488°).

To relocate 301 feet of 2.0-inch gas line approximately 20 feet downstream under Rattlesnake Run and two wetlands using horizontal directional drilling techniques in Snyder Township, Jefferson County. The relocation is due to the replacement of the PennDOT bridge structure adjacent to the existing gas line. The project is located on Rattlesnake Run Road approximately 600 feet east of its intersection with SR 219.

WATER QUALITY CERTIFICATIONS REQUESTS

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

WQ37-001, USDA—Natural Resource Conservation Service, 359 East Park Drive, Suite 2, Harrisburg, PA 17111. Gerkey Wetland Reserve Program, in Greenwood Township, **Crawford County**, ACOE Pittsburgh District (New Castle South, PA Quadrangle N: 40°, 54', 04.2"; W: 80°, 22', 19.3").

Applicant is requesting Clean Water Act Section 401 State Water Quality Certification for a wetland enhancement project proposed under the US Department of Agriculture—Natural Resource Conservation Service Wet-

land Reserve Program. The overall purpose of this project is to improve water quality in the receiving watershed (Jenkins Run), restore and enhance wetlands degraded by previous agricultural activities, and provide permanent protection to 26.95 acres of restored wildlife habitat through the WRP easement. This project proposes to construct 1 low earthen embankment and 1 wetland pothole which will result in permanent impact to 0.06 acre of existing wetland which will be offset by the enhancement/restoration of 1.01 acre of wetland and the creation of 0.32 acre of wetland. This project has received Federal authorization under a USACE Nationwide Permit 27.

WQ20-001, USDA—Natural Resource Conservation Service, 359 East Park Drive, Suite 2, Harrisburg, PA 17111. Gerkey Wetland Reserve Program, in Greenwood Township, **Crawford County**, ACOE Pittsburgh District (Hadley, PA Quadrangle N: 41°, 29', 54"; W: 80°, 10', 32").

Applicant is requesting Clean Water Act Section 401 State Water Quality Certification for a wetland enhancement project proposed under the US Department of Agriculture—Natural Resource Conservation Service Wetland Reserve Program. The overall purpose of this project

is to increase the capacity of wetland wildlife habitat and improve water quality by restoring original hydrology and promoting native vegetation. This project proposes installation of 2 ditch plugs to restore and improve hydrology to approximately 0.2 acre of existing wetland and to excavate 2 wetland potholes (approx. 0.2 acre each) to restore a shallow water hydrologic regime in areas that have invasive reed canary grass. This project has received Federal authorization under a USACE Nationwide Permit 27.

DAM SAFETY

Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, Floor 2, 400 Market Street, P.O. Box 8460, Harrisburg, PA 17105-8460.

D26-053. Deer Lake Improvement Association. P.O. Box 112, Chalk Hill, PA 15421-0112. To modify, operate and maintain Deer Lake Dam across Meadow Run (HQ-CWF) for the purpose of closing the man-made breach and reestablishing the lake. (Fort Necessity, PA Quadrangle Latitude: 39.8431; Longitude: -79.5889) in Wharton Township, **Fayette County**.

ACTIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

The Department has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and NOIs for coverage under General Permits. This notice of final action is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.101) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section I	NPDES	Renewals
Section II	NPDES	New or Amendment
Section III	WQM	Industrial, Sewage or Animal Wastes; Discharges to Groundwater
Section IV	NPDES	MS4 Individual Permit
Section V	NPDES	MS4 Permit Waiver
Section VI	NPDES	Individual Permit Stormwater Construction
Section VII	NPDES	NOI for Coverage under NPDES General Permits

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

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

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

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

I. NPDES Renewal Permit Actions

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0038164 (Sewage)	Confluence Borough STP 2847 Drake Town Road Confluence, PA 15424	Somerset County Confluence Borough	Youghioghney River (19-E)	Y
PA0098060 (Sewage)	Smithwind MHP STP Lancaster Road Fombell, PA 16123	Beaver County Franklin Township	UNT of Slippery Rock Creek (17-D)	Yes

Northeast Regional Office: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570.826.2511.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PAS802222 (Storm Water)	Male Road Ind Properties LP PO Box 160 Wind Gap, PA 18091	Northampton County Plainfield Township	Unnamed Tributary to Little Bushkill Creek (1-F)	Yes
PAS802214 (Storm Water)	North American Bulk Transportation 611 S 28th Street PO Box 754 Milwaukee, WI 53215-1201	Northampton County Upper Nazareth Township	Unnamed Tributary to East Branch Monocacy Creek (2-C)	Yes
PAS402202 (Storm Water)	RPM Recycling Inc. 701 N Broadway Wind Gap, PA 18091-1114	Northampton County	Unnamed Tributary to Little Bushkill Creek (1-F)	Yes

Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 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>
PA0085529	Altoona Water Authority Mill Run 900 Chestnut Avenue Altoona, PA 16601	Logan Township/ Blair County	to Mill Run in Watershed(s) 11-A	Y
PA0085821	Altoona Homer Gap Water Authority 900 Chestnut Avenue Altoona, PA 16601	Logan Township/Blair County	Homer Gap Run in Watershed(s) 11-A	Y
PA0010677	Veeder Root Meter Manufacturing 2709 Route 764 Duncansville, PA 16635-8047	Allegheny Township/ Blair County	UNT to Spencer Run in Watershed(s) 11-A	Y
PA0085812	Altoona City Kettle Creek Water System 900 Chestnut Avenue Altoona, PA 16601	Tyrone Township/Blair County	to Kettle Creek in Watershed(s) 11-A	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0217158 (Industrial)	Charleroi Borough Authority PO Box 211 Charleroi, PA 15022-0211	Washington County Charleroi Borough	Maple Creek (19-C)	Yes

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

Northcentral Regional Office: Regional Clean Water Program Manager, 208 W Third Street, Suite 101, Williamsport, PA 17701-6448. Phone: 570.327.3636.

NPDES Permit No. PA0027171, Sewage, SIC Code 4952, **Municipal Authority of the Town of Bloomsburg**, 301 E 2nd Street, Bloomsburg, PA 17815-1963.

This existing facility is located in the Town of Bloomsburg, **Columbia County**.

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

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

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

WQM Permit No. 4817401, Sewerage, SIC Code 4952, **Stockertown Borough Northampton County**, 209 Main Street, Stockertown, PA 18083-4000.

This proposed facility is located in Stockertown Borough, **Northampton County**.

Description of Proposed Action/Activity: The proposed improvement is for the installation of an additional UV module to their existing UV channel.

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

WQM Permit No. 0604407 A-1, Sewerage, **Hamburg Borough Municipal Authority**, 61 N 3rd Street, Hamburg, PA 19626.

This proposed facility is located in Hamburg Borough, **Berks County**.

Description of Proposed Action/Activity: This permit approves construction/modification of sewage facilities consisting of:

The replacement of the existing pump rated for 91 gpm at 69 ft. TDH with a new pump rated for 116 gpm at 70 ft. TDH.

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

Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD640004	Aqua Pennsylvania, Inc. 1775 North Main Street Honesdale, PA 18431	Wayne	Lake and Paupack Townships	Purdy Creek (HQ-CWF, MF)
PAD640003	Wayne Memorial Hosp 601 Park Street Honesdale, PA 18431	Wayne	Honesdale Borough	West Branch Lackawaxen River (HQ-TSF, MF)
PAI023916017	PPL Electric Utilities Corporation c/o Colleen Kester 2 North 9th Street Allentown, PA 18101	Lehigh	Lower Macungie Township and Upper Macungie Township	Swabia Creek (HQ-CWF, MF) Little Lehigh Creek (HQ-CWF, MF) Schaefer Run (HQ-CWF, MF) Breinig Run (HQ-CWF, MF)
PAI023916021	Jeffrey Jones Wedgewood Golf Course, Inc. 4875 Limeport Pike Coopersburg, PA 18036	Lehigh	Upper Saucon Township	UNT to Saucon Creek (CWF, MF) (EV Wetlands)
PAD450015	Wal-Mart Stores, Inc. c/o Mr. Mark S. Goldsmith 2001 S.E. 10th Street Bentonville, AR 72716-5570	Monroe	Coolbaugh Township	Polly's Run (HQ-CWF, MF)
PAD450007	AutoZone Development, LLC 123 South Front St, 3rd Fl Memphis, TN 38103	Monroe	Middle Smithfield	UNT to Marshalls Creek (HQ-CWF, MF)
PAD480009	Kay Trio, LLC c/o Mr. Richard Brooks 5930 Hamilton Boulevard Allentown, PA 18108	Northampton	Lower Nazareth Township	East Branch Monocacy Creek (HQ-CWF, MF)

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

<i>Permit #</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI030615002	Jeremy Manwiller 2070 North Church Street Robesonia, PA 19551	Berks County	Heidelberg Township	EV Wetlands UNT Spring Creek (CWF, MF) Spring Creek (CWF, MF)

<i>Permit #</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD210004	PPL Electric Utilities Two North Ninth Street Allentown, PA 18101	Cumberland County	Middlesex Township	Letort Spring Run (Designated Use: CWF, MF; Existing Use: HQ-CWF, MF) Conodoguin Creek (CWF, MF) Wetlands (EV)
PAI032116004	James Sunday, Jr. Liberty Property Limited Partnership 74 West Broad Street Suite 240 Bethlehem, PA 18018	Cumberland County	Middlesex Township	Letort Spring Run (Designated Use: CWF, MF; Existing Use: HQ-CWF, MF)
PAI032805001R	Mark Flohr 1350 Lincoln Way East Chambersburg, PA 17202	Franklin County	Guilford Township	Falling Springs Branch (HQ-CWF, MF)
PAI032816001	Robert Myers, III Terra, LLC 2200 Monroe Street York, PA 17404	Franklin County	Guilford Township	UNT Falling Spring Branch (HQ-CWF, MF)
PAD360002	Scott Brinton 323 Riverview Road Peach Bottom, PA 17563	Lancaster County	Fulton Township	UNT Susquehanna River (HQ-CWF) Haines Branch (HQ-WWF, MF) UNT Puddle Duck Creek (HQ-WWF, MF)

Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570.327.3574.

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD140012	PennDOT District 2-0 PO Box 342 Clearfield, PA 16830	Centre	Potter Twp	UNT-Laurel Creek UNT-Potters Run HQ-CWF, MF
PAD140003	Galen E. Dreibelbis 265 Blue Course Drive Suite C1 State College, PA 16803	Centre	Harris Twp	Galbraith Gap Run HQ-CWF, MF
PAD140004	Ben & Jodi Johnston 838 Ridge Road Mill Hall, PA 17751	Centre	Walker Twp	UNT-Little Fishing 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
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges from Small Flow Treatment Facilities
PAG-5	General Permit for Discharges from Petroleum Product Contaminated Groundwater Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application

PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharges from Hydrostatic Testing of Tanks and Pipelines
PAG-11	General Permit for Discharges from Aquatic Animal Production Facilities
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges from the Application of Pesticides

General Permit Type—PAG-02

Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

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>
Scranton City and Ransom Township Lackawanna County	PAC350005	PPL Electric Utilities Corporation 2 North Ninth Street Allentown, PA 18101	Lackawanna River (CWF, MF) Keyser Creek (CWF, MF) Leach Creek (TSF, MF) South Branch Leach Creek (TSF, MF)	Lackawanna County Conservation District 570-392-3086
Whitehall Township Lehigh County	PAG02003916010	DTC MacArthur Road, LP 1665 Valley Center Parkway Bethlehem, PA 18017	UNT to Coplay Creek (CWF, MF)	Lehigh County Conservation District 610-391-9583
Upper Saucon Township Lehigh County	PAC390009	Francis & Lauren Lawler 4097 Waterford Drive Center Valley, PA 18034	UNT to Saucon Creek (CWF, MF)	Lehigh County Conservation District 610-391-9583

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

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>
East Berlin Borough Adams County Issued	PAC010005	Newell E. Coxon Jr. Appalachian Realty Corporation 102 Locust Street P.O. Box 180 East Berlin, PA 17316	Conewago Creek (WWF)	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717.334.0636
Windsor Township Berks County Issued	PAC060035	Gary Masino Sheet Metal Workers Local 19 1301 S. Columbus Blvd. Philadelphia, PA 19147	UNT Schuylkill River (WWF, MF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533 610.372.4657 x200
Borough of Birdsboro Union Township Berks County Issued	PAC060046 (PAG02000615032)	Jim Ryan Birdsboro Power LLC 72 Glenmaura Blvd. Moosic, PA 18507	Hay Creek (CWF, MF) Schuylkill River (WWF, MF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533 610.372.4657 x200

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Hampden Township Cumberland County Issued	PAC210028	Enola Investors, LLC 12 Balligomingo Road Conshohocken, PA 19428	Pine Run (WWF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717.240.7812
Middlesex Township Cumberland County Issued	PAC210024	Heritage Connector Road, Inc. 44 Hersha Drive Harrisburg, PA 17012	UNT Hogestown Run (CWF, MF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717.240.7812
Upper Allen Township Cumberland County Issued	PAC210020	Allen Distributions 670 Allen Road Carlisle, PA 17015	Cedar Run (CWF, MF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717.240.7812
Bethel Township Lebanon County Issued	PAC380018	Lowell B. Nolt 952 Pine Grove Road Fredericksburg, PA 17026	Elizabeth Run (WWF)	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042 717.277.5275
South Lebanon Township Lebanon County Issued	PAC380009	Sarah S. Lantz 375 Iona Road Lebanon, PA 17042	Tulpehocken Creek (CWF)	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042 717.277.5275
<i>Northcentral Region: Watershed Management Program Manager, 208 West Third Street, Williamsport, PA 17701.</i>				
<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>
Falls Creek Boro & Sandy Twp, Clearfield Cnty	PAC170004	Falls Creek Borough Municipal Authority 117 Taylor Ave Falls Creek, PA 15840	Wolf Run CWF Sandy Lick Creek TSF	Clearfield County Conservation District 511 Spruce St Ste 6 Clearfield, PA 16830 (814) 765-2629
East Chillisquaque Twp Northumberland Cnty	PAC490012	1080 Dance Hall Road Milton, PA 17847	Chillisquaque Creek WWF, MF	Northumberland County Conservation District 441 Plum Creek Rd Sunbury, PA 17801 (570) 286-7114 ext. 4
Adams Twp, Butler Cnty	PAC100023	Cypress Partners, LP 3700 South Water Street Suite 150 Pittsburgh, PA 15203	UNT to South Branch Glade run	Butler County Conservation District 724-284-5270
Springfield Twp Mercer Cnty	PAC430007	American Transmission Systems, Inc. (a First Energy Company) 800 Cabin Hill Drive Greensburg, PA 15601	Hunters Run, unnamed tributaries of Hunters run and unnamed tributary of Neshannock Creek (TSF)	Mercer County Conservation District 724-662-2242
City of Erie Erie Cnty	PAC250008	Erie Insurance Group 100 Erie Insurance Place Erie, PA 16530	Mill Creek WWF, MF; Presque Isle WWF	Erie County Conservation District 814-825-6403
Millcreek Twp Erie Cnty	PAC250002	Temple Anshe Hased c/o Connor, Riley, Friedman, & Weichler 17 West 10th Street Erie, PA 16501	Walnut Creek CWF; CWF	Erie County Conservation District 814-825-6403

*General Permit Type—PAG-8 (SSN)**Facility Location:*

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Franklin County/ Fannett Township	PAG08	SYNAGRO 1605 Dooley Road PO Box B Whiteford, MD 21160	Pearl Hartmire Farm Franklin County/ Fannett Township	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707

General Permit Type—PAG-12

<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>
Union Township Lebanon County	PAG123719	Lamar Sensenig 114 Huckleberry Road Jonestown, PA 17038	in Watershed 7-D	DEP—SCRO—CW 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

PUBLIC WATER SUPPLY PERMITS

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

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

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

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

SAFE DRINKING WATER**Actions taken under the Pennsylvania Safe Drinking Water Act (35 P.S. 721.1—721.17).**

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

Operations Permit # 4617502 issued to: **Horsham Water & Sewer Authority**, 617 Horsham Road, Horsham, PA 19044, [(PWSID)] Horsham Township, **Montgomery County** on March 23, 2017 for the operation of Temporary Sediment Filter Tank, Resin Filter Tank, and Granular Activated Carbon Filters at Well No. 10.

Operations Permit # 1466227 issued to: **Upper Merion Township**, 175 West Valley Forge Road, King of Prussia, PA 19406, [(PWSID)] Upper Merion Township, **Montgomery County** on March 22, 2017 for the operation of Norview Farm Water.

Operations Permit # 0916522 issued to **Milford Township Water Authority**, P.O. Box 516, Spinnerstown, PA 18968-0516, [(PWSID)] Milford Township, **Chester County** on March 21, 2017 for the operation of Upgrades to the Iron and Manganese Removal Treatment System at Well No. 4 facilities approved under construction permit # 0916522.

Operations Permit # 0916504 issued to: **Vincent Elementary School**, 340 Ridge Road, Spring City, PA 19475, [(PWSID)] East Vincent Township, **Chester County** on March 22, 2017 for the operation of Emergency Permit for Temporary Use of Two (2) 3,000-Gallon Storage Tanks and a Bulk Water Hauler.

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

Permit No. 0616512, Public Water Supply.

Applicant	Reading Area Water Authority
Municipality	Ontelaunee Township
County	Berks
Responsible Official	William Murray, Interim Executive Director 1801 Kutztown Road Reading, PA 19604
Type of Facility	Rehabilitation of the existing filters.
Consulting Engineer	Thomas L. Weld Jr, P.E. BCM Engineers 920 Germantown Pike Plymouth, PA 19462
Permit to Construct Issued	3/13/2017

Comprehensive Operation Permit No. 7380375 issued to: **Harper's Tavern (PWS ID No. 7380375)**, East Hanover Township, **Lebanon County** on 3/20/2017 for the operation of facilities approved under Construction Permit No. 3817501 MA.

Operation Permit No. 2217505 E issued to: **Hi-Land Mobile Home Park (PWS ID No. 7220025)**, London-

derry Township, **Dauphin County** on 3/13/2017 for facilities approved under Construction Permit No. 2217505 E.

Operation Permit No. 3066215 issued to: **Great Oak Spring Vended Water System (PWS ID No. 3066215)**, Exeter Township, **Berks County** on 3/23/2017 for facilities submitted under Application No. 3066215.

Northcentral Region: Safe Drinking Water Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.

Permit No. 5516502—Construction—Public Water Supply.

Applicant	Pennsylvania Department of Human Services
Township/Borough	Penn Township
County	Snyder
Responsible Official	Michael Kapil, P.E. 3 Ginko Drive, Building 52 Harrisburg, PA 17110
Type of Facility	Public Water Supply
Consulting Engineer	Michael Peleschak, P.E. Alfred Benesch & Company 400 One Norwegian Plaza Pottsville, PA 17901
Permit Issued	March 23, 2017
Description of Action	Construction of a new filtration plant at Selinsgrove Center, including coagulant and sodium hypochlorite chemical feed systems, duplicate Roberts ion exchange units, duplicate Roberts Pacer II units (each with absorption clarifier and rapid rate gravity filter), and clearwell. In addition, this permit authorizes cleaning and replacement of the pump in Well No. 7 and decommissioning of Well No. 6.

Permit No. MA-GWR—Operation—Public Water Supply.

Applicant	Troy ProCare
Township/Borough	Troy Township
County	Bradford
Responsible Official	Michelle Wilson 7831 Route 6 Troy, PA 16947
Type of Facility	Public Water Supply
Consulting Engineer	Timothy K. Steed, P.E. HUNT—EAS Airport Corporate Park 100 Center Horseheads, NY 14845-1019
Permit Issued	March 27, 2017
Description of Action	Authorizes 4-log treatment of viruses for groundwater source Well No. 1, subject to special conditions for compliance monitoring.

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

Permit No. 3217509, Public Water Supply.

Applicant	Indiana County Municipal Services Authority 602 Kolter Drive Indiana, PA 15701
[Township or Borough]	Young Township
Responsible Official	Michael Duffalo, Executive Director Indiana County Municipal Services Authority 602 Kolter Drive Indiana, PA 15701
Type of Facility	Coal Run water storage tank mixer
Consulting Engineer	Gibson-Thomas Engineering Co., Inc. 1004 Ligonier Street PO Box 853 Latrobe, PA 15650
Permit to Construct Issued	March 27, 2017

Permit No. 3217510, Public Water Supply.

Applicant	Indiana County Municipal Services Authority 602 Kolter Drive Indiana, PA 15701
[Township or Borough]	Young Township
Responsible Official	Michael Duffalo, Executive Director Indiana County Municipal Services Authority 602 Kolter Drive Indiana, PA 15701
Type of Facility	McIntyre water storage tank mixer
Consulting Engineer	Gibson-Thomas Engineering Co., Inc. 1004 Ligonier Street PO Box 853 Latrobe, PA 15650
Permit to Construct Issued	March 27, 2017

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

Permit No., 2516502, Public Water Supply.

Applicant	YMCA of Youngstown Matthew E. Poese Executive Director 17 North Champion Street Youngstown, OH 44501
Township or Borough	Springfield Township
County	Erie
Type of Facility	Public Water Supply
Consulting Engineer	Jeffrey T. Rober, P.E. MS Consultants, Inc. 333 East Federal Street Youngstown, OH 44503-1821
Permit to Construct Issued	March 21, 2017

Operation Permit issued to **Lake City Borough**, PWSID No. **6250056**, Lake City Borough, **Erie County**. Permit Number 2514506 issued March 21, 2017 for the operation of 4-Log treatment of viruses for Entry Point 101. This action is taken under the requirements of the Groundwater Rule.

Operation Permit issued to **City of Oil City**, PWSID No. **6610023**, Oil City City, **Venango County**. Permit Number 6113502-MA1 issued March 24, 2017 for the operation of the renovated two 2.0-MG "Sage Run" standpipes, the two 500,000-gallon "Vo-Tech" Standpipes, the 400,000-gallon "West End" storage tank, and the 3.0-MG "Hog Back" storage tank. This permit is issued in response to acceptable bacteriological and VOC(s) sample results for the referenced storage tanks and a completed Certificate of Construction Modification/Completion form received on January 16, 2017.

Operation Permit issued to **Erie City Water Authority**, PWSID **6250028**, City of Erie, **Erie County**. Permit Number 4189-T1-MA3 issued March 27, 2017 for the operation of Sigsbee Reservoir. This permit is issued in response to the Certificate of Construction/Modification and Completion and requisite sampling results that were accepted by the Department on March 6, 2017, and an operation inspection conducted by Department personnel on March 15, 2017.

SEWAGE FACILITIES ACT PLAN DISAPPROVAL

Plan Disapprovals Under the Pennsylvania Sewage Facilities Act (35 P.S. § 750.5)

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Strasburg Township	400 Bunker Hill Road Strasburg, PA 17579	Lancaster

Plan Description: The planning module for the EDK Subdivision, DEP Code No. A3-36952-228-3E, APS Id 935332, consisting of a subdivision of four semi-detached dwellings is disapproved. The proposed development is located at 216 Lancaster Avenue, Strasburg Township, Lancaster County. This plan is disapproved because a capacity certification letter from The City of Lancaster, permittee of the wastewater treatment plant, was not received with the module, as required by Chapter 71, Section 71.51(b)(2)(ii) of DEP's regulations.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
City of Lancaster	120 North Duke Street Lancaster, PA 17603	Lancaster

Plan Description: The planning module for the Stockyards Building # 3, DEP Code No. A3-36001-211-3, APS Id 934981, consisting of a four story medical and hotel building to generate 25,500 gpd of sewage flow tributary to the City of Lancaster sewer system, the City's north pump station and the City's wastewater treatment facility. The proposed plan exemption submission is disapproved. The proposed development is located at 1300 Marshall Avenue adjacent to North Plum Street and Juliette Avenue in the City of Lancaster, Lancaster County. This plan is disapproved because the applicant failed to provide the module review fee and a second copy of the module.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 2

The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

For further information concerning plans or reports, contact the environmental cleanup program manager in the Department regional office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

Damascus Tube (Off-Property Ditches), 795 Reynolds Industrial Park Road, Pymatuning Township, **Mercer County**. Environmental Remediation & Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412, on behalf of Marcegaglia—USA, 1001 East Waterfront Drive, Munhall, PA 15120, submitted a Final Report concerning the remediation of site surface water and sediment contaminated with cis-1,2-Dichloroethene, Trichloroethene, Anthracene, Benzo[a]anthracene, Benzo[b]fluoranthene, Benzo[k]fluoranthene, Benzo[g,h,i]perylene, Benzo[a]pyrene, Chrysene, Fluoranthene, Indeno[1,2,3-cd]pyrene, Phenanthrene, Pyrene, Aroclor-1254, Aroclor-1260, Aluminum, Antimony, Arsenic, Barium, Cadmium, Chromium III, Chromium VI, Cobalt, Copper, Iron, Lead, Manga-

nese, Nickel, Vanadium, and Zinc. The report is intended to document remediation of the site to meet the Site-Specific Standard.

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

Prosperity Cleaners, 4145 Brownsville Road, Borough of Brentwood, **Allegheny County**. Independence Environmental Consulting, LLC, 1750 Kaylor Road, Hummelstown, PA 17036 on behalf of Prosperity Cleaners, Inc., 4145 Brownsville Road, Pittsburgh, PA 15227 has submitted Remedial Investigation Report & Final Report concerning the remediation of site soils and groundwater contaminated with tetrachloroethene, trichloroethene, 1,1, dichloroethene, cis-1,2,dichloroethene, trans-1,2,dichloroethene and vinyl chloride. Notice of intent to remediate was published to the *Pittsburgh Post Gazette* on November 18, 2016.

Phillips Parcels Property, 500 and 506 Brushton Avenue, City of Pittsburgh, **Allegheny County**. KU Resources, Inc., 22 South Linden Street, Duquesne, PA 15110, on behalf of North Side Industrial Development Company, 700 River Avenue, Pittsburgh, PA 15212 has submitted Remedial Investigation Report, Risk Assessment Report & Cleanup Plan concerning the remediation of site soils contaminated with Benzo(a)pyrene, Lead, 1,2,4-TMB, Benzo(b)fluoranthene and Chrysene and groundwater contaminated with Arsenic. Notice of intent to remediate was published to the *Pittsburgh Post Gazette* on February 2, 2017.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 3

The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting

a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department regional office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

Conestoga MHP Lot 20, 3327 Main Street, Lot 20, Conestoga, PA 17516, Conestoga Township, **Lancaster County**. Liberty Environmental, 480 New Holland Avenue, Suite 8203, Lancaster, PA 17602, on behalf of Conestoga Mobile Home Park, 252 Willow Valley Road, Lancaster, PA 17602, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil. The Final Report did not demonstrate attainment of the Residential Statewide Health Standard, and was disapproved by the Department on March 23, 2017.

Former FCI USA, Inc., Emigsville, 320 Busser Road, Emigsville, PA 17318-0248, Manchester and Springettsbury Townships, **York County**. HRP Associates, Inc., 197 Scott Swamp Road, Farmington, CT 06032, on behalf of AFCI Americas, 825 Old Trail Road, Etners, PA 17319, submitted a Final Report concerning remediation of site soil and groundwater contaminated with chlorinated solvents, VOCs and nickel. The Final Report did not demonstrate attainment of the Site Specific Standard, and was disapproved by the Department on March 22, 2017.

HAZARDOUS WASTE TRANSPORTER LICENSE

Actions on applications for Hazardous Waste Transporter License received under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003) and regulations to transport hazardous waste.

Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, PO Box 69170, Harrisburg, PA 17106-9170.

Hazardous Waste Transporter License Reissued

Horwith Trucks, Inc., PO Box 7, Northampton, PA 18067. License No. PA-AH 0176. Effective Mar 23, 2017.

Kuhnle Brothers, Inc., PO Box 375, Newbury, OH 44065. License No. PA-AH 0655. Effective Mar 28, 2017.

Lionetti Oil Recovery, Inc. dba Lorco, 450 S Front St, Elizabeth, NJ 07202. License No. PA-AH 0567. Effective Mar 23, 2017.

Renewal Applications Received

Horwith Trucks, Inc., PO Box 7, Northampton, PA 18067. License No. PA-AH 0176. Effective Mar 22, 2017.

Kuhnle Brothers, Inc., PO Box 375, Newbury, OH 44065. License No. PA-AH 0655. Effective Mar 28, 2017.

Lionetti Oil Recovery, Inc. dba Lorco, 450 S Front St, Elizabeth, NJ 07202. License No. PA-AH 0567. Effective Mar 22, 2017.

RESIDUAL WASTE GENERAL PERMITS

Permit Issued Under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act; and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and 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 17106-9170.

General Permit Application No. WMGR156. Arconic Inc., 100 Technical Drive, New Kensington, PA 15069; formerly known as Alcoa Inc. This permit authorizes the beneficial use of bauxite residue from alumina refining as a polishing step for wastewater treatment. The permit was issued by Central Office on March 21, 2017.

Persons interested in reviewing the general permit may contact Ali Tarquino-Morris, Environmental Program Manager, Division of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170, 717-787-7381. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Permit issued under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904) and Regulations to Operate a Solid Waste Processing or Disposal Area or Site.

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

Permit ID No. 101700. McKees Rocks Transfer Station, 149 Nichol Road, McKees Rocks, PA 15136. Permit reissued for a change of ownership of the Penn Waste Systems Construction and Demolition Waste Transfer and Processing Facility to McKees Rocks Transfer Station, LLC. The facility is renamed the McKees Rocks Transfer Station. Operation will continue under the Waste Transfer and Processing Facility permit no. 101700 terms and conditions for the facility located at 149 Nichol Road, McKees Rocks, PA 15136, in Stowe Township, **Allegheny County**. The permit reissuance was issued in the Regional Office on March 23, 2017.

AIR QUALITY

General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110.

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.

GP1-36-03110: Westrock-Southern Container, LLC (500 Richardson Drive, Lancaster, PA 17603) on March 20, 2017 for two (2) existing Cleaver-Brooks boilers firing natural gas and No. 2 oil, each rated at 20.411 MMBtu/hr, under GP1, at the container manufacturing facility located in East Hempfield Township, **Lancaster County**. The general permit authorization was renewed.

GP3-01-03038C: Mellott Company (100 Mellott Drive, Warfordsburg, PA 17267) on March 24, 2017, for the installation and operation of portable nonmetallic mineral processing equipment, under GP3, at the SGI Charmian Quarry located in Hamiltonban Township, **Adams County**.

GP11-01-03038C: Mellott Company (100 Mellott Drive, Warfordsburg, PA 17267) on March 24, 2017, for the installation and operation of five nonroad engines, under GP11, to power portable nonmetallic mineral processing equipment at the SGI Charmian Quarry located in Hamiltonban Township, **Adams County**.

GP1-21-03050A: Dickinson College (PO Box 1773, Carlisle, PA 17013) on March 23, 2017, for two (2) existing Hurst boilers 26.4 MMBtu/hr burning natural gas and No. 2 oil, under GP1, at the higher educational institution located in the City of Carlisle, **Cumberland County**. The general permit authorization was renewed.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.

Contact: Muhammad Q. Zaman, Program Manager, 570-327-3648.

GP5-14-01H: Capital Oil & Gas, Inc. (6075 Silica Road, Suite A, Austintown, OH 44515) on March 17, 2017, for change of ownership and authorization for continued operation of one (1) 365 bhp natural-gas-fired four-stroke rich-burn Caterpillar model G3412NA compressor engine with a Maxim Silencer NSCR catalyst, one (1) 215 bhp natural-gas-fired four-stroke rich-burn Caterpillar model G3406NA compressor engine with Maxim Silencer NSCR catalyst, one (1) 500 bhp natural-gas-fired four-stroke rich-burn Caterpillar model G398NA HCR compressor engine with a Miratech NSCR catalyst along with several storage tanks, pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP-5), at the DeHaas Compressor Station located in Curtin Township, **Centre County**.

GP5-14-02D: Capital Oil & Gas, Inc. (6075 Silica Road, Suite A, Austintown, OH 44515) on March 15, 2017, for authorization for continued operation of one (1) 365 bhp Caterpillar model G3412NA four-stroke rich-burn compressor engine equipped with a Maxim Silencer non-selective catalytic reduction (NSCR) unit, one (1) 425 bhp Caterpillar model G3408 CLE four-stroke lean-burn compressor engine along with several storage tanks pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP-5), at the Red Buck Compressor Station located in Snow Shoe Township, **Centre County**.

GP5-18-03B: Capital Oil & Gas, Inc. (6075 Silica Road, Suite A, Austintown, OH 44515) on March 24, 2017, for continued operation of one (1) 220 bhp natural-gas-fired four-stroke rich-burn Caterpillar model G3306 TA compressor engine with a Miratech model IQ-10-04-

EC1 non-selective catalyst reduction (NSCR) unit, one (1) 215 bhp natural-gas-fired four-stroke rich-burn Caterpillar model G3406 NA compressor engine with Miratech model IQ-10-05-EC1 NSCR unit, along with two (2) 50 bbl produced fluids tanks and two (2) 275 gal lube oil tanks pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ GPA/GP-5) at the Beech Creek Compressor Station located in Noyes Township, **Clinton County**.

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

Contact: David Balog, New Source Review Chief—Telephone: 814-332-6328.

GP3-62-184B: Allegheny Aggregate (PO Box 38, Pittsfield, PA 16340) on March 23, 2017, for the authority to install and operate a Gator model 3040, Metco model GP200 and Eagle 6ZD-37D crushers, Simplicity 8 × 16 and 5 × 16 vibratory screens, and nine (9) conveyors. (BAQ-GPS/GP3) located at their facility in Pittsfield Township, **Warren County**.

GP4-25-1012B: Applied Coating Solutions (3152 W 22nd St., Erie, PA 16506) on March 23, 2017, for the authority to operate a burn off oven (BAQ-GPS/GP4) located at their facility in Millcreek Township, **Erie County**.

GP5-61-196C: Belden & Blake, Windy Hills Compressor Station (300 Capitol St., Suite 300, Charleston, WV 25301) on March 23, 2017, for the authority to construct and/or operate a natural gas fired compressor engine (Caterpillar G3508) and glycol dehydrator/reboiler (BAQ-GPS/GP5) located at their facility in Cherrytree Township, **Venango County**.

GP13-25-006A: Russell Standard Corporation (PO Box 86, Union City, PA 16438) on March 23, 2017, for the authority to install a replacement burner and baghouse (Gencor Ultra 2, Gencor CFS-151) (BAQ-GPS/GP13) located at their facility in LeBoeuf Township, **Erie County**.

Plan Approvals Issued under the Air Pollution Control Act and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.

Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648.

49-00040B: Reagent Chemical & Research, Inc. (145 Happy Hollow Road, Coal Township, PA 17866-7733) on March 21, 2017 for the installation of a second adsorption tower to control the emission of hydrogen sulfide from the molten sulfur storage tank incorporated in the “biodegradable” sleet target production line at your facility located in Coal Township, **Northumberland County**.

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

Contact: David Balog, New Source Review Chief—Telephone: 814-332-6328.

16-132L: Clarion Boards (143 Fiberboard Rd., P.O. Box 340, Shippensburg, PA 16254), on March 23, 2017 issued a Plan Approval for replacement of an existing Durr RTO with a new TANN RTO; replacement of existing boiler with new Ness Dust Burner; construction

of new dryer with fiber sifter; installation of 2 high efficiency cyclones to replace Turbosonic scrubber; construction of 4 Jenbacher reciprocating engines; installation of a new surplus wood dust collection system; and limiting the exiting hot oil boilers at the Laminate Plant to emergency use in Paint Township, **Clarion County**. This is a Title V facility.

24-131R: SGL Carbon LLC (900 Theresia St., P.O. Box 1030, Saint Marys, PA 15857), on March 23, 2017 issued a Plan Approval for the construction of a new Chemical Vapor Deposition Reactor (# 16) and scrubber located in Building 500 CVD Operations in the City of Saint Marys, **Elk County**. This is a State Only facility.

Department of Public Health, Air Management Services, 321 University Avenue, Philadelphia, PA 19104.

Contact: Edward Wiener, Chief—Telephone: 215-685-9426.

AMS IP16-000221: (City of Philadelphia, Dept. of Commerce, Division of Aviation, 8800 Essington Ave, Philadelphia, PA 19153) for installation of one (1) emergency generator and five (5) boilers at its Philadelphia International Airport location. The emergency generator has a capacity of 200.5 kilowatts and is fueled by diesel fuel. Four (4) of the boilers are all fueled by natural gas and No. 2 Oil and have capacities of 6.277 MMBtu/hr or 5.230 MMBTU/hr. One (1) boiler is fueled only by natural gas and has a capacity of 2.088 MMBTU/hr.

The facility's potential emissions increase from the installation are as follows: 17.381 tons per year of Nitrogen Oxides (NO_x), 1.656 tons per year of Particulate Matter, 4.802 tons per year of Carbon Monoxide, and 15.479 tons per year of Sulfur Dioxide. The plan approval will contain operating, monitoring, recordkeeping, and reporting requirements to ensure operation within all applicable requirements.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

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

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

23-0038F: Delcora Inc. (100 E 5th Street, PO Box 999, Chester, PA 19016) On March 24, 2017 for construction and operation of a new air pollution control system for each of the two multiple hearts incinerators, comprising quench, multi-venture scrubber, wet electrostatic precipitator and regenerative thermal oxidizer in City of Chester, **Delaware County**.

Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110.

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.

21-05056A: Fry Communications, Inc. (101 Fry Drive, Mechanicsburg, PA 17050) on March 23, 2017, for construction of a web offset printing press and afterburner unit at their Building 4 plant in Silver Spring Township, **Cumberland County**. The plan approval was extended.

07-05001F: Appvion Inc. (100 Paper Mill Road, Roaring Spring, PA 16673) on March 24, 2017, to extend the

plan approval for the following activity at the Spring Mill located in Roaring Spring Borough, **Blair County**:

1. Installation of a wet electrostatic precipitator (Source ID C036) to further control particulate matter (PM) emissions from the No. 3 Power Boiler (Source ID 036) in order to comply with 40 CFR Part 63, Subpart DDDDD—National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters (MACT Subpart DDDDD);

2. Modification of the existing venturi wet scrubber (Source ID C17) that controls PM and HCl emissions from the No. 3 Power Boiler; and

3. Construction of a fly ash handling system (Source ID 201) consisting of a fly ash storage silo whose PM emissions will be controlled by a bin vent collector (Source ID C201).

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.

Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648.

08-00001A: Tennessee Gas Pipeline Company, LLC (1001 Louisiana Street, Suite 1000, Houston, TX 77002) extended the authorization an additional 180 days from April 2, 2017 to September 29, 2017, to allow continued operation of the Gas Turbine Compressor (Source ID P101A) and the emergency (stand-by) generator engine (Source P103A) pending issuance of an operating permit. The sources are located at the Compressor Station 319 facility in Wyalusing Township, **Bradford County**.

59-00008C: Tennessee Gas Pipeline Company, LLC (1001 Louisiana Street, Suite 1000, Houston, TX 77002) extended the authorization an additional 180 days from March 9, 2017 to September 5, 2017, to allow continued operation of the Gas Turbine Compressor (Source ID P101B) pending issuance of an operating permit. The source is located at the Compressor Station 315 facility in Charleston Township, **Tioga County**.

17-00001E: NRG REMA LLC (250 Power Plant Drive, Shawville, PA 16873) extended the authorization an additional 180 days from April 6, 2017 to October 3, 2017, to permit continued operation of the cooling tower located at their Shawville Generating Station facility in Bradford Township, **Clearfield County** pending issuance an operating permit for the source.

17-00001G: NRG REMA LLC (250 Power Plant Drive, Shawville, PA 16873) extended the authorization an additional 180 days from April 6, 2017 to October 3, 2017, to permit continued operation of the utility boilers on natural gas pending issuance an operating permit for the modified sources. The sources are located at their Shawville Generating Station facility in Bradford Township, **Clearfield County**.

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

Contact: Alan Binder, P.E., Environmental Engineer Manager—Telephone: 412-442-4168.

PA-11-00524C: JWF Industries (163 Cramer Pike, Johnstown, PA 15906) Extension effective March 28, 2017, to extend the period of temporary operation for a Surface Coating and Abrasive Blasting Operation at the company's facility located in West Taylor Township, **Cambria County**.

PA-03-00244A: Dominion Transmission, Inc. (5000 Dominion Blvd—2NW Glen Allen, VA 23060) on March

23, 2017, plan approval modification issuance to continue temporary operation of Solar Taurus 70-10802S Turbine at their Rural Valley Compressor Station located in Valley Township, **Armstrong County**.

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

Contact: David Balog, New Source Review Chief—Telephone: 814-332-6328.

10-381B: Mountain Gathering, Forward Compressor Station (810 Houston St., Suite 2000, Fort Worth, TX 76102) on March 27, 2017, effective March 31, 2017, has issued a plan approval extension for modification of facility wide VOC limits, short term VOC and formaldehyde emission limits for sources 101 through 108 and the addition of a Section C condition specifying the equipment authorized for installation at the facility in Forward Township, **Butler County**.

24-167C: E Carbon America (806 Theresia Street, Saint Marys, PA 15857), on March 23, 2017, effective March 31, 2017, has issued a plan approval extension for the construction of a new electric pusher furnace and thermal oxidizer in Saint Mary's City, **Elk County**. This is a Title V facility.

43-363B: Pennex Aluminum Company (93 Werner Road, Greenville, PA 16125-9499) on March 21, 2017, effective March 31, 2017, will issue a plan approval extension for the reclassification of source 103 (# 1 Melting Furnace, 20 MMBtu/hr, Group 2) from a Group 2 furnace to a Group 1 furnace in accordance with 40 CFR Part 63, Subpart RRRR. This facility is located in Sugar Grove Township, **Mercer County**.

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

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

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

09-00030: Brightsmith LLC. (120 Enterprise Ave, Morrisville, PA 19067-3703) On February 2, 2017 for the renewal of their Title V Operating Permit for their metal coil coating operation located in Falls Township, **Bucks County**.

Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.

06-05085: New Morgan Landfill Co., Inc. (4400 Mt. Pisgah Road, York, PA 17406) on March 17, 2017, for the Conestoga Landfill located in New Morgan Borough, **Berks County**. The Title V permit was renewed.

Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.

Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.

21-05033: Wilson Paving, Inc. (480 West Old York Road, Carlisle, PA 17015-7503) on March 21, 2017 for the batch asphalt plant located in South Middleton Township, **Cumberland County**. The State-only permit was renewed.

36-03011: Cargill Cocoa & Chocolate (201 W. Lincoln Avenue, Lititz, PA 17543-1012) on March 21, 2017 for the chocolate and cocoa manufacturing facility (Broad Street), located in Lititz Borough, **Lancaster County**. The State-only permit was renewed.

67-03037: Hard Chrome Specialists (41 Leigh Drive, York, PA 17402-9474) on March 24, 2017, for the hard chrome plating operations located in Manchester Township, **York County**. The State-only permit was renewed.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.

Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648.

17-00061: Junior Coal Contracting, Inc. (2330 Six Mile Road, Philipsburg, PA 16866) issued on March 23, 2017, the renewal State Only Operating Permit (NMOP) No: 17-00061 for their Leslie Tipple facility located in Decatur Township and **Clearfield County**. All applicable federal and state regulatory requirements including testing, monitoring, recordkeeping, reporting, and work practice conditions to assure compliance with the applicable requirements have been included in the renewal operating permit.

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

Contact: Tom Joseph, P.E., Facilities Permitting Chief—Telephone: 412-442-4336.

63-00064: North Central Processing, Inc./Donora Site (2002 Meldon Avenue, Donora, PA 15033) on March 21, 2017, the Department issued a State Only Operating Permit renewal for the operation of drying and sizing metallurgical coke located in Carroll Township, **Washington County**.

11-00515: J-Lok, Co./Cresson Plant (258 Kappa Drive, Pittsburgh, PA 15238) on March 27, 2017, the Department issued a State Only Operating Permit renewal for the manufacturing of mine bolt resin cartridges designed for underground mine roof bolting located in Cresson Township, **Cambria County**.

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

Contact: Matt Williams, Facilities Permitting Chief at Telephone: 814-332-6940.

25-01000: Advanced Mold Tech (2011 East 30th Street, Erie, PA 16510), on March 27, 2017 the Department renewed the State Only Operating Permit for the plating operations facility located in Erie City, **Erie County**. The sources at the facility include, decorative chrome electroplating (subject to 40 CFR Part 64 Subpart N), nickel electroplating (subject to 40 CFR Part 63 Subpart WWWW), copper electroplating, copper cyanide electroplating, metal preparation area and shotblast preparation (each preparation area controlled by its own dust collector). The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104-4543, Contact: Edward Wiener, Chief, Source Registration at 215-685-9476.

The City of Philadelphia, Air Management Services (AMS) has intended to issue a Minor State Only Operating Permit for the following facility:

OP17-000005: Kingsbury, Inc. (10385 Drummond Road, Philadelphia, PA 19154) for the operation of a bearing manufacturing facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission source is an 1100 hp gas turbine that burns kerosene.

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

Persons wishing to file protest or comments on the above operating permit must submit the protest or comments within 30 days from the date of this notice. 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.

S15-015: Friends Hospital (4641 Roosevelt Blvd, Philadelphia, PA 19124) for the operation of a hospital and health care facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include three (3) 400 horsepower (HP) boiler firing No. 6 oil or natural gas, one (1) 300,000 Btu/hr boiler firing natural gas, one (1) 285,000 Btu/hr boiler firing propane, two (2) 100 kilowatt (kw) emergency generators firing No. 2 oil, one (1) 118 kw emergency generator firing diesel, and one (1) 15 kw emergency generator firing propane.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

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

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

23-00034: Villanova University (800 E. Lancaster Avenue, Villanova, PA 19085) for a minor modification to the Title V Operating Permit at the facility located in Radnor Township, **Delaware County**. The modification allows the facility to eliminate No. 6 fuel oil and switch to No. 2 fuel oil for the operation of four boilers.

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

Contact: Thomas Joseph, P.E., Facilities Permitting Chief—Telephone: 412-442-4336.

04-00502: Shasta Services LLC (1155 Business Center Drive, Suite 200, Horsham, PA 19044) on March 20, 2017 an administrative amendment to change the name of the ownership has been changed from Shasta Inc. to Shasta Services LLC and revise the current State Only Operating Permit. The facility is located in Aliquippa, **Beaver County**.

SOOP-56-00177, Coresco, LLC (308 Dents Run Road, Morgantown, WV 26501) State Only Operating Permit amendment issuance date effective March 21, 2017, for their Dooley Run Terminal located in Dunkard Township, **Greene County**.

SOOP-63-00955: National Fuel Gas Supply Corporation (6363 Main Street, Williamsville, NY 14221) Permit Amendment issued on March 22, 2017, to group the operating permit conditions in the existing Buffalo Compressor Station which is located in Buffalo Township, **Washington County**.

Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA. 19104-4543, Contact: Edward Wiener, Chief, Source Registration at 215 685 9476.

The City of Philadelphia, Air Management Services (AMS) administratively amended operating permits issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and regulations to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices for the following facilities:

N14-005: Menasha Packaging, LLC (601 East Erie Avenue, Philadelphia, PA 19134) administratively amended on March 23, 2017 to incorporate a contact name change. The Synthetic Minor operating permit was originally issued on March 4, 2015.

De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.

Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110.

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.

36-05152: Kellogg's USA, Inc. (2050 State Road, Lancaster, PA 17604). Pursuant to 25 Pa. Code § 127.449(i), this PA Bulletin Notice is for a de minimis emissions increase of 0.342 TPY PM₁₀ resulting from the replacement of the Bran Screw Conveyor with the Bran Chain-Vey Disc Drag Conveyor at the breakfast foods facility located in East Hempfield Township, **Lancaster County**. A pickup point is being added to the Bran Chain-Vey Disc Drag Conveyor. The dry fine particulate matter collected from the Bran Chain-Vey Disc Drag Conveyor will be processed by Rotoclone 1 before discharging to Stack 118. This is the second de minimis emissions increase at the facility during the term of the current operating permit.

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

Contact: Alan Binder, P.E., Environmental Engineer Manager—Telephone: 412-442-4168.

63-110: World Kitchen, LLC (100 Eighth Street, Charleroi, PA 15022) Per 25 Pa. Code § 127.449(i), this notice is for the following de minimis emission increase at the World Kitchen, LLC Charleroi Plant located in Charleroi Borough, **Washington County**: introduction of color frits to molten glass via a feeder system. The list of de minimis increases for this facility includes only this project.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.20a). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P.S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1002).

Coal Permits Issued

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200.

17930103 and NPDES PA0207241. Junior Coal Contracting, Inc. (2330 Six Mile Road, Philipsburg, PA 16866). Modification to the NPDES for an alternate mine drainage treatment plan and revising the permit boundary area by adding 4.2 acres and deleting 4.2 acres of unaffected area on a bituminous surface coal mine located in Decatur and Woodward Townships, **Clearfield County** affecting 309.9 acres. Receiving stream(s): Unnamed Tributaries to Beaver Run and Little Beaver Run classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: September 30, 2016. Permit issued: March 17, 2017.

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

Permit No. 54851305R6. S & J Coal Mine, (15 Motter Drive, Pine Grove, PA 17963), renewal of an existing anthracite underground mine operation in Cass Township, **Schuylkill County** affecting 1.08 acre, receiving stream: West Branch Schuylkill River. Application received: January 7, 2016. Renewal issued: March 27, 2017.

Permit No. PAM112053R, S & J Coal Mine, (15 Motter Drive, Pine Grove, PA 17963), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Underground Mining Permit No. 54851305 in Cass Township, **Schuylkill County**, receiving stream: West Branch Schuylkill River. Application received: January 7, 2016. Renewal issued: March 27, 2017.

Noncoal Permits Issued

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

16960808. Brooklyn Services (673 Tara Lane, Strattonville, PA 16258). Final bond release for a small industrial minerals surface mine in Clarion Township, **Clarion County**. Restoration of 1.0 acre completed. Receiving streams: Unnamed tributary to the Clarion River. Application Received: February 6, 2017. Final bond release approved: March 20, 2017.

3074SM13. Allegheny Mineral Corporation (P.O. Box 1022, Kittanning, PA 16201) Revision to an existing large industrial minerals mine to change the post-mining land use from cropland, forestland, pastureland/land occasionally cut for hay, and residential to unmanaged natural habitat and open water impoundment on the properties of Allegheny Mineral Corporation, C.H. Snyder Co., and Betty J. Montgomery, et. al. in Slippery Rock Township, **Butler County**. Receiving streams: Unnamed tributary to Slippery Rock Creek. Application received: September 28, 2016. Permit Issued: March 20, 2017.

10070303. Allegheny Mineral Corporation (P.O. Box 1022, Kittanning, PA 16201) Revision to an existing large industrial minerals mine to change the post-mining land use from cropland, forestland, pastureland/land occasionally cut for hay, and residential to unmanaged natural habitat and open water impoundment on the property of Allegheny Mineral Corporation in Slippery Rock Township, **Butler County**. Receiving streams: Unnamed tributary to Slippery Rock Creek and unnamed tributary to Wolf Creek. Application received: September 28, 2016. Permit Issued: March 20, 2017.

PAM612006. H & H Materials, Inc. (190 Canon Road, Stoneboro, PA 16153) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 43950303 in Lake Township, **Mercer County**. Receiving streams: Unnamed tributaries to Little Shenango River and Little Shenango River. Application received: March 6, 2017. Permit Issued: March 20, 2017.

37020306. The East Fairfield Coal Company, Inc. (P.O. Box 217, North Lima, OH 44452) Renewal of existing NPDES Permit No. PA0259241 in North Beaver Township, **Lawrence County**. Receiving streams: Honey Creek. Application received: December 14, 2016. Permit Issued: March 20, 2017.

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

Permit No. 7874SM3A1C10 and NPDES Permit No. PA0612537. New Enterprise Stone & Lime Co., Inc. d/b/a Eastern Industries, Inc., (3724 Crescent Court West, Suite 200, Whitehall, PA 18052), renewal of an NPDES Permit for discharge of treated mine drainage from a quarry operation in Whitehall Township, **Lehigh County** affecting 137.6 acres, receiving stream: Coplay Creek. Application received: December 24, 2012. Renewal issued: March 27, 2017.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

Blasting Permits Issued

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

04174102. Wampum Hardware Company (2856 Stoystown Road, Friedens, PA 15541-7020) Blasting activity permit for commercial development in Potter Township, **Beaver County**. This blasting activity permit expires on December 31, 2017. Permit Issued: March 20, 2017.

New Stanton District Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500.

63174001. Geokinetics (1000 Commerce Circle, Trafford, PA 15085). Blasting activity permit for the Arran 3D, to conduct seismic activity located in Donor, North Charleroi, Charleroi, Speers, Dunlevy, Stockdale, Roscoe, Elco, Bentleville, Centerville and West Brownsville Boroughs, Carroll, Fallowfield, Twilight, Long Branch, Allenport, California, and West Pike Run Townships, **Washington County**; Monessen and North Belle Vernon Boroughs, Rostraver Township, **Westmoreland County**; Washington, Jefferson and Newel Townships, Fayette City, **Fayette County** with an expiration date of March 30, 2018. Blasting permit issued: March 20, 2017.

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

Permit No. 36174104. M & J Explosives, LLC, (P.O. Box 1248, Carlisle, PA 17013), construction blasting for Brethren Village in Manheim Township, **Lancaster County** with an expiration date of March 1, 2018. Permit issued: March 22, 2017.

Permit No. 46174103. Maine Drilling & Blasting, Inc., (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Monument Apartments and Parking Garage in Lower Merion Township, **Montgomery County** with an expiration date of March 15, 2018. Permit issued: March 22, 2017.

Permit No. 38174108. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Scenic Ridge Development in West Cornwall Township, **Lebanon County** with an expiration date of March 31, 2018. Permit issued: March 27, 2017.

Permit No. 38174109. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Eugene Horst dwelling in Earl Township, **Lebanon County** with an expiration date of July 30, 2017. Permit issued: March 27, 2017.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T 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 are available on the Board's website.

dures may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

WATER OBSTRUCTIONS AND ENCROACHMENTS

Southeast Region: Waterway and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5900.

E46-1148. Upper Gwynedd Township, 1 Parkside Place, North Wales, PA 19454-2526, Upper Gwynedd Township, **Montgomery County**, ACOE Philadelphia District.

To construct and maintain a roadside bioretention swale that will intercept stormwater runoff before discharging into Wissahickon Creek. The bioretention swale is associated with the Sumneytown Pike Roadside Bioretention Project. The site is located on township owned property adjacent to the Wissahickon Creek. The site is west of the intersection of Dickerson Road and Sumneytown Pike (Lansdale Lat. 40° 12' 55.62"; Long. 75° 17' 25.28").

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

E46-1142. Sunoco Logistics Partners, L.P., 525 Fritztown Road, Sinking Springs, PA 19608-1509, Limerick Township, **Montgomery County**, ACOE Philadelphia District.

To maintain a partially exposed 8-inch liquid petroleum pipe line measuring approximately 150 feet in length across the bottom of the Brooke Evans Creek (WWF, MF) and associated banks. The exposed pipeline will be protected with Ercoform E-60 grout mats, and bank stabilization with riprap and retaining wall.

The site is located at about 500 feet southeast of the Longview and Church Roads (Phoenixville, PA USGS Quadrangle Latitude: 40.2193, Longitude: -75.5804).

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

E15-879. Cannery Row Properties, LP, 649 West South Street, Kennett Square, PA 19348, Kennett Square Borough, **Chester County**, ACOE Philadelphia District.

To construct and maintain an underground storm water facility in and along a UNT to the West Branch of Red Clay Creek (TSF, MF) associated with the construction of mixed use development.

The site is located near an intersection of South Mill Road and West Cypress Street (Kennett Square, USGS map; Lat.: 39.8435; Long. -75.7211).

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

E46-1115. Cheltenham Township, 8230 Old York Road, Elkins Park, PA 19027-1589, Cheltenham Township, **Montgomery County**, ACOE Philadelphia District.

To replace approximately 13,000 linear feet of an existing sewer line interceptor with all new branch contributing lines, and all new manholes, in and along the 100-year floodway of Tookany The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

Creek, utilizing 12 new stream crossings, four utility stream crossings, and a temporary 0.56 acre of wetland impact and log crib stream bank stabilization is also included.

The sewer line will run from the corner of Forrest Avenue/Shoemaker Road, near Old York Road (RT 611), in Elkins Park and terminate at Tookany Creek Parkway/Central Avenue intersection near the Philadelphia City line (Frankford, PA USGS map, Lat. 40.0626; Long. -75.0978).

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

Northeast Regional Office, Waterways and Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone 570-826-2511.

E39-547. Lower Macungie Township, 3400 Brookside Road, Macungie, PA 18062. Lower Macungie Township, **Lehigh County**, Army Corps of Engineers Philadelphia District.

To construct and maintain a 6-foot wide single span pedestrian bridge across Swabia Creek (HQ-CWF, MF), having a 37-foot span and approximately a 3-foot minimum underclearance. The project is located immediately downstream of the Gehman Road vehicular bridge (Allentown West, PA Quadrangle Latitude: 40°30'57"; Longitude: -75°34'05") in Lower Macungie Township, Lehigh County. Subbasin: 2C.

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

E36-946: Summit Land Holdings, LLC, 120 North Pointe Boulevard, Lancaster, PA 17601, West Earl Township, **Lancaster County**, U.S. Army Corps of Engineers, Baltimore District.

To relocate and maintain: 1) 1,010 lineal feet of an unnamed tributary to Cocalico Creek (WWF, MF), and 2) 650 lineal feet of an unnamed tributary to Cocalico Creek (WWF, MF). Both unnamed tributaries will be relocated to flow into a common 790 lineal feet, 8-inch diameter, PVC pipe. The relocation of the two unnamed tributaries results in the removal of 870 lineal feet of stream enclosure. The project is located at Latitude 40°07'23.4",

Longitude -76°14'2.5" in West Earl Township, Lancaster County. No wetland impacts are proposed with the relocation.

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

E55-232. Lawrence V. Smith, 43 Smithfield Lane, Freeburg, PA 17827. Smith Bridge Crossing, in Washington Township, **Snyder County**, ACOE Baltimore District (Latitude: 40° 44' 59.1714"; Longitude: -76° 57' 48.5166").

Lawrence Smith applied for a Small Projects Joint Permit and intends to construct a bridge crossing over Susquehanna Creek, which is a Cold Water Fishery and Wild Trout Waters. The bridge structure is intended to span from bank to bank and the abutments are beyond the top of bank. Minor fill will be placed for each approach. The intended span of the structure is 46 ft with

a width of 12 ft and an underclearance of 7 feet. The intended plans do not show any instream disturbance. This project is located 1.4 mile west of Freeburg, in Washington Township, Snyder County.

E18-502. Renovo Borough, 128 Fifth Street, Renovo, PA 17764. Boat launch and floodway activity in Renovo Borough, **Clinton County**, ACOE Baltimore District (Renovo West, PA Quadrangle Lat: 41° 19' 27"; Long: -77° 45' 14").

Renovo Borough has applied for a Small Projects—Joint Permit Application to construct, operate and maintain a boat access measuring 210 feet long by 15 feet wide as well as a pavilion measuring 40 feet by 25 feet in the floodplain of W. Br. Susquehanna River in Renovo Borough, Clinton County.

The project proposes to have the following impacts:

ID	Stream Name	Chapter 93 Classification	Temporary	Permanent	Latitude	Longitude
			Impact area Length (LF)	Impact area Length (Sq Ft)		
Boat Launch	W. Br. Susquehanna River	WWF, MF	210	3,150	41° 19' 27"	77° 45' 14"

Proposed waterway impacts to 3,150 square feet.

The proposed construction will not permanently impact cultural or archaeological resources, national/state/local parks, forests recreational areas, landmarks wildlife refuge, or historical sites. W. Br. Susquehanna River is classified with a designated use of Warm Water Fishery (WWF).

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

E5829-119: Brooklyn, Harford, and Lenox Townships, Williams Field Services Company, LLC; Park Place Corporate Center 2, 2000 Commerce Drive, Pittsburgh, PA 15275; Brooklyn, Harford, and Lenox Townships, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

- 1) two 24-inch diameter steel natural gas gathering pipelines and temporary timber mat crossing permanently impacting 1,573 square feet (0.04 acre) of a palustrine forested wetlands (PFO) (Montrose East, PA Quadrangle; Latitude: 41° 45' 36", Longitude: -75° 46' 32"),
- 2) two 24-inch diameter steel natural gas gathering pipelines and temporary timber mat crossing temporarily impacting 479 square feet (0.01 acre) of a palustrine emergent wetlands (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 45' 29", Longitude: -75° 46' 09"),
- 3) two 24-inch diameter steel natural gas gathering pipelines and temporary timber mat bridge crossing impacting 128 lineal feet of a tributary to Martins Creek (CWF-MF) (Montrose East, PA Quadrangle; Latitude: 41° 45' 28", Longitude: -75° 45' 59"),
- 4) two 24-inch diameter steel natural gas gathering pipelines and temporary timber mat bridge crossing impacting 86 lineal feet of a tributary to Martins Creek (CWF-MF) (Montrose East, PA Quadrangle; Latitude: 41° 45' 28", Longitude: -75° 45' 59"),

- 5) two 24-inch diameter steel natural gas gathering pipelines and temporary timber mat crossing temporarily impacting 4,705 square feet (0.11 acre) of a palustrine emergent wetlands (PEM) and permanently impacting 15,142 square feet (0.35 acre) of palustrine forested wetlands (PFO) (Montrose East, PA Quadrangle; Latitude: 41° 45' 28", Longitude: -75° 46' 00"),
- 6) two 24-inch diameter steel natural gas gathering pipelines and temporary timber mat crossing permanently impacting 4,118 square feet (0.10 acre) of a palustrine forested wetlands (PFO) (Montrose East, PA Quadrangle; Latitude: 41° 45' 21", Longitude: -75° 45' 38"),
- 7) two 24-inch diameter steel natural gas gathering pipelines and temporary timber mat bridge crossing impacting 117 lineal feet of an unnamed tributary to Martins Creek (CWF-MF) (Montrose East, PA Quadrangle; Latitude: 41° 45' 18", Longitude: -75° 45' 25"),
- 8) two 24-inch diameter steel natural gas gathering pipelines and temporary timber mat bridge crossing impacting 104 lineal feet of Martins Creek (CWF-MF) (Montrose East, PA Quadrangle; Latitude: 41° 45' 18", Longitude: -75° 45' 07"),
- 9) two 24-inch diameter steel natural gas gathering pipelines and temporary timber mat bridge crossing impacting 101 lineal feet of an unnamed tributary to Martins Creek (CWF-MF) (Montrose East, PA Quadrangle; Latitude: 41° 45' 17", Longitude: -75° 45' 04"),
- 10) two 24-inch diameter steel natural gas gathering pipelines and temporary timber mat crossing temporarily impacting 23,800 square feet (0.54 acre) of a palustrine scrub shrub wetlands (PSS) and permanently impacting 7,623 square feet (0.18 acre) of palustrine scrub shrub wetlands (PSS) (Montrose East, PA Quadrangle; Latitude: 41° 45' 17", Longitude: -75° 45' 06"),
- 11) two 24-inch diameter steel natural gas gathering pipelines and temporary timber mat bridge crossing impacting 167 lineal feet of an unnamed tributary to

Martins Creek (CWF-MF) (Montrose East, PA Quadrangle; Latitude: 41° 45' 17", Longitude: -75° 44' 55"),

12) two 24-inch diameter steel natural gas gathering pipelines and temporary timber mat bridge crossing impacting 114 lineal feet of an unnamed tributary to Martins Creek (CWF-MF) (Montrose East, PA Quadrangle; Latitude: 41° 45' 17", Longitude: -75° 44' 53"),

13) two 24-inch diameter steel natural gas gathering pipelines and temporary timber mat bridge crossing impacting 103 lineal feet of an unnamed tributary to Martins Creek (CWF-MF) (Montrose East, PA Quadrangle; Latitude: 41° 45' 16", Longitude: -75° 44' 53"),

14) two 24-inch diameter steel natural gas gathering pipelines and temporary timber mat crossing temporarily impacting 320 square feet (0.01 acre) of a palustrine emergent wetlands (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 45' 18", Longitude: -75° 44' 45"),

15) two 24-inch diameter steel natural gas gathering pipelines and temporary timber mat bridge crossing impacting 124 lineal feet of an unnamed tributary to Martins Creek (CWF-MF) (Montrose East, PA Quadrangle; Latitude: 41° 44' 55", Longitude: -75° 44' 31"),

16) two 24-inch diameter steel natural gas gathering pipelines and temporary timber mat crossing temporarily impacting 16,609 square feet (0.38 acre) of a palustrine emergent wetlands (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 44' 55", Longitude: -75° 44' 31"),

17) two 24-inch diameter steel natural gas gathering pipelines and temporary timber mat bridge crossing impacting 103 lineal feet of an unnamed tributary to Martins Creek (CWF-MF) (Montrose East, PA Quadrangle; Latitude: 41° 44' 42", Longitude: -75° 44' 25"),

18) two 24-inch diameter steel natural gas gathering pipelines and temporary timber mat bridge crossing impacting 118 lineal feet of an unnamed tributary to Millard Creek (CWF-MF) (Montrose East, PA Quadrangle; Latitude: 41° 44' 03", Longitude: -75° 44' 07"),

19) temporary timber mat crossing temporarily impacting 311 square feet (0.01 acre) of a palustrine emergent wetlands (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 43' 57", Longitude: -75° 43' 56"),

20) two 24-inch diameter steel natural gas gathering pipelines and temporary timber mat crossing temporarily impacting 418 square feet (0.01 acre) of a palustrine emergent wetlands (PEM) and permanently impacting 521 square feet (0.01 acre) of palustrine forested wetlands (PFO) (Montrose East, PA Quadrangle; Latitude: 41° 43' 56", Longitude: -75° 43' 56"),

21) two 24-inch diameter steel natural gas gathering pipelines and temporary timber mat bridge crossing impacting 107 lineal feet of an unnamed tributary to Millard Creek (CWF-MF) (Montrose East, PA Quadrangle; Latitude: 41° 43' 56", Longitude: -75° 43' 55"),

22) two 24-inch diameter steel natural gas gathering pipelines and temporary timber mat bridge crossing impacting 109 lineal feet of an unnamed tributary to Millard Creek (CWF-MF) (Montrose East, PA Quadrangle; Latitude: 41° 43' 52", Longitude: -75° 43' 45"),

23) two 24-inch diameter steel natural gas gathering pipelines and temporary timber mat bridge crossing impacting 101 lineal feet of an unnamed tributary to Millard Creek (CWF-MF) (Montrose East, PA Quadrangle; Latitude: 41° 43' 50", Longitude: -75° 43' 40"),

24) two 24-inch diameter steel natural gas gathering pipelines and temporary timber mat crossing temporarily

impacting 1,466 square feet (0.03 acre) of a palustrine emergent wetlands (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 43' 50", Longitude: -75° 43' 40"),

25) two 24-inch diameter steel natural gas gathering pipelines and temporary timber mat crossing temporarily impacting 10,095 square feet (0.23 acre) of a palustrine emergent wetlands (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 43' 48", Longitude: -75° 43' 37"),

26) two 24-inch diameter steel natural gas gathering pipelines and temporary timber mat crossing temporarily impacting 13,929 square feet (0.32 acre) of a palustrine emergent wetlands (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 43' 39", Longitude: -75° 43' 22"),

27) two 24-inch diameter steel natural gas gathering pipelines and temporary timber mat crossing temporarily impacting 3,387 square feet (0.08 acre) of a palustrine emergent wetlands (PEM), temporarily impacting 6,642 square feet (0.15 acre) of palustrine scrub shrub wetlands (PSS), and permanently impacting 87 square feet (0.01 acre) of a palustrine scrub shrub wetlands (PSS) (Montrose East, PA Quadrangle; Latitude: 41° 43' 36", Longitude: -75° 43' 13"),

28) two 24-inch diameter steel natural gas gathering pipelines and temporary timber mat bridge crossing impacting 90 lineal feet of Tower Branch (CWF-MF) (Montrose East, PA Quadrangle; Latitude: 41° 43' 24", Longitude: -75° 42' 52"),

29) two 24-inch diameter steel natural gas gathering pipelines and temporary timber mat crossing temporarily impacting 14,713 square feet (0.34 acre) of a palustrine emergent wetlands (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 43' 24", Longitude: -75° 42' 53"),

30) two 24-inch diameter steel natural gas gathering pipelines and temporary timber mat crossing temporarily impacting 21,191 square feet (0.49 acre) of a palustrine emergent wetlands (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 43' 12", Longitude: -75° 42' 34"),

31) two 24-inch diameter steel natural gas gathering pipelines and temporary timber mat crossing temporarily impacting 2,929 square feet (0.07 acre) of a palustrine emergent wetlands (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 43' 06", Longitude: -75° 42' 29"),

32) one 24-inch diameter and one 20-inch diameter steel natural gas gathering pipelines and temporary timber mat crossing temporarily impacting 11,044 square feet (0.25 acre) of a palustrine emergent wetlands (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 43' 02", Longitude: -75° 42' 29").

The project consists of constructing approximately 5.4 miles of dual 24" steel natural gas gathering line located in Brooklyn, Harford, and Lenox Townships, Susquehanna County. The project will result in 1,672 lineal feet of temporary stream impacts, 132,038 square feet (3.03 acres) of temporary wetland impacts, and 29,064 square feet (0.67 acre) of permanent wetland impacts all for the purpose of providing safe reliable conveyance of Marcellus Shale natural gas to market. As a result of the permanent wetland impacts, 0.96 acre of mitigation is being provided in the form of creation.

E5929-062: HEP Tioga Gathering, LLC, 17806 IH-10 West, Suite 210, San Antonio, TX, 78227, Liberty Township, **Tioga County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) A temporary road crossing using timber mats, a 20 inch diameter natural gas pipeline, and a 16 inch diam-

eter waterline impacting 1,023 square feet of a palustrine emergent (PEM) wetland (Liberty, PA Quadrangle 41° 35' 43"N, 77° 07' 21"W);

2) A 20 inch diameter natural gas pipeline, and a 16 inch diameter waterline impacting 214 square feet of a palustrine emergent (PEM) wetland (Liberty, PA Quadrangle 41°35'37"N, 77°07'23"W);

3) A temporary road crossing using timber mats, a 20 inch diameter natural gas pipeline, and a 16 inch diameter waterline impacting 63 linear feet of an unnamed tributary to Blacks Creek (CWF) and 1,374 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Liberty, PA Quadrangle 41°35'29"N, 77°07'21"W);

4) A temporary road crossing using timber mats, a 20 inch diameter natural gas pipeline, and a 16 inch diameter waterline impacting 2,270 square feet of a palustrine emergent (PEM) wetland (Liberty, PA Quadrangle 41°35' 13"N, 77°07'27"W);

5) A temporary road crossing using timber mats, a 20 inch diameter natural gas pipeline, and a 16 inch diameter waterline impacting 301 square feet of a palustrine emergent (PEM) wetland (Liberty, PA Quadrangle 41°35' 13"N, 77°07'29"W);

6) A 20 inch diameter natural gas pipeline, and a 16 inch diameter waterline impacting 244 square feet of a palustrine emergent (PEM) wetland (Nauvoo, PA Quadrangle 41°35'09"N, 77°07'32"W);

7) A temporary road crossing using timber mats, a 20 inch diameter natural gas pipeline, and a 16 inch diameter waterline impacting 552 square feet of a palustrine emergent (PEM) wetland (Nauvoo, PA Quadrangle 41°35' 02"N, 77°07'41"W);

8) A temporary road crossing using timber mats, a 20 inch diameter natural gas pipeline, and a 16 inch diameter waterline impacting 814 square feet of a palustrine emergent (PEM) wetland (Nauvoo, PA Quadrangle 41°34' 59"N, 77°07'47"W);

9) A temporary road crossing using timber mats, a 20 inch diameter natural gas pipeline, and a 16 inch diameter waterline impacting 3,886 square feet of a palustrine emergent (PEM) wetland (Nauvoo, PA Quadrangle 41°34' 59"N, 77°07'47"W);

10) A 20 inch diameter natural gas pipeline, and a 16 inch diameter waterline impacting 31 linear feet of an unnamed tributary to Blacks Creek (CWF) (Nauvoo, PA Quadrangle 41°35'02"N, 77°07'48"W);

11) A temporary road crossing using timber mats, a 20 inch diameter natural gas pipeline, and a 16 inch diameter waterline impacting 5,683 square feet of an exceptional value palustrine forested (EV-PFO) wetland (Nauvoo, PA Quadrangle 41°35'10"N, 77°07'53"W);

12) A temporary road crossing using timber mats, a 20 inch diameter natural gas pipeline, and a 16 inch diameter waterline impacting 5,291 square feet of an exceptional value palustrine forested (EV-PFO) wetland (Nauvoo, PA Quadrangle 41°35'10"N, 77°08'05"W);

13) A 20 inch diameter natural gas pipeline, and a 16 inch diameter waterline impacting 131 square feet of a palustrine emergent (PEM) wetland (Nauvoo, PA Quadrangle 41°35'07"N, 77°08'27"W).

The project will result in 10,809 square feet (0.25 acre) of temporary wetland impacts, 10,974 square feet (0.25 acre) of permanent wetland impacts, and 94 linear feet of temporary stream impacts all for the purpose of installing a natural gas gathering line in Liberty Township, Tioga County. The permittee will provide 0.50 acre of compensatory mitigation for forested wetland impacts at an off-site location (Tiadaghton, PA Quadrangle 41°41'25"N, 77°25' 11"W) in Shippen Township, Tioga County.

Northwest Region: Oil and Gas Program Manager, 230 Chestnut Street, Meadville, PA 16335; 814-332-6860.

E10-08-010, Stonehenge Appalachia LLC, 11400 Westmoor Circle, Suite 200A, Westminster, CO 80021. Renick to Shields pipeline in Clay, Center, and Oakland Townships, **Butler County**, Army Corps of Engineers Pittsburgh District (Mount Chestnut and East Butler, PA Quadrangles 40.9296167N; -79.9042500W).

The applicant proposes to construct and maintain approximately 7.9 miles of one (16) inch steel natural gas gathering pipeline located in Clay, Center, and Oakland Townships Butler County. The pipeline connects an existing Well Pad to the Renick Compressor Station.

The water obstructions and encroachments are described below:

To construct and maintain:

<i>Impact No.</i>	<i>Description of Impact</i>	<i>Latitude / Longitude</i>
1	One (1) 16" steel gathering line with associated right-of-way to be bored under UNT to Stony Run (WWF) having 102 linear feet of temporary stream and floodway impacts.	40.954536N -79.902303W
2	One (1) 16" steel gathering line with associated right-of-way and temporary road crossing to cross UNT to Stony Run (WWF) having 170 linear feet of temporary stream and floodway impacts.	40.953297 N -79.897647 W
3	One (1) 16" steel gathering line with associated right-of-way and temporary road crossing to cross UNT to Stony Run (WWF) having 195 linear feet of temporary stream and floodway impacts.	40.953192 N -79.897253 W
4	One (1) temporary road crossing to cross the floodway of a UNT to Pine Run (WWF) having 125 linear feet of temporary floodway impacts.	40.955158 N -79.886333 W
5	One (1) temporary road crossing to cross the floodway of a UNT to Pine Run (WWF) having 125 linear feet of temporary floodway impacts.	40.956750 N -79.888014 W
6	One (1) 16" steel gathering line with associated right-of-way and temporary road crossing to cross UNT to Pine Run (WWF) having 163 linear feet of temporary stream and floodway impacts.	40.952206 N -79.885583 W

<i>Impact No.</i>	<i>Description of Impact</i>	<i>Latitude / Longitude</i>
7	One (1) 16" steel gathering line with associated right-of-way and temporary road crossing to cross UNT to Pine Run (WWF) having 161 linear feet of temporary stream and floodway impacts.	40.952353 N -79.882367 W
8	One (1) 16" steel gathering line with associated right-of-way and temporary road crossing to cross UNT to Pine Run (WWF) having 114 linear feet of temporary stream and floodway impacts.	40.952344 N -79.881167 W
9	One (1) 16" steel gathering line with associated right-of-way and temporary road crossing to cross Pine Run (WWF) having 148 linear feet of temporary stream and floodway impacts.	40.952483 N -79.879583 W
10	One (1) temporary road crossing to cross the floodway of a UNT to Pine Run (WWF) having 115 linear feet of temporary floodway impacts.	40.953103 N -79.872825 W
11	One (1) 16" steel gathering line with associated right-of-way and temporary road crossing to cross UNT to Pine Run (WWF) having 172 linear feet of temporary stream and floodway impacts.	40.953286 N -79.863108 W
12	One (1) 16" steel gathering line with associated right-of-way and temporary road crossing to cross UNT to Pine Run (WWF) having 176 linear feet of temporary stream and floodway impacts.	40.953292 N -79.862911 W
13	One (1) 16" steel gathering line with associated right-of-way and temporary road crossing to cross UNT to Connoquenessing Creek (HQ-WWF) having 154 linear feet of temporary stream and floodway impacts.	40.950528 N -79.851422 W
14	One (1) 16" steel gathering line with associated right-of-way and temporary road crossing to cross UNT to Connoquenessing Creek (HQ-WWF) having 237 linear feet of temporary stream and floodway impacts.	40.950658 N -79.849547 W
15	One (1) 16" steel gathering line with associated right-of-way and temporary road crossing to cross UNT to Connoquenessing Creek (HQ-WWF) having 298 linear feet of temporary stream and floodway impacts.	40.951972 N -79.838756 W
16	One (1) 16" steel gathering line with associated right-of-way and temporary road crossing to cross UNT to Connoquenessing Creek (HQ-WWF) having 153 linear feet of temporary stream and floodway impacts.	40.951989 N -79.837944 W
17	One (1) 16" steel gathering line with associated right-of-way and temporary road crossing to cross Connoquenessing Creek (HQ-WWF) having 139 linear feet of temporary floodway impacts.	40.951319 N -79.831806 W
18	One (1) 16" steel gathering line with associated right-of-way and temporary road crossing to cross UNT to Connoquenessing Creek (HQ-WWF) having 187 linear feet of temporary stream and floodway impacts.	40.948633 N -79.832006 W
19	One (1) 16" steel gathering line with associated right-of-way and temporary road crossing to cross UNT to Connoquenessing Creek (HQ-WWF) having 151 linear feet of temporary stream and floodway impacts.	40.945703 N -79.832897 W
20	One temporary road crossing to cross floodway of a UNT to Connoquenessing Creek (HQ-WWF) having 110 linear feet of temporary floodway impacts. An existing culvert will remain undisturbed.	40.941231 N -79.824711 W
21	One temporary road crossing to cross the floodway of a UNT to Connoquenessing Creek (HQ-WWF) having 120 linear feet of temporary floodway impacts.	40.941231 N -79.824711 W
22	One (1) 16" steel gathering line with associated right-of-way and temporary road crossing to cross UNT to Connoquenessing Creek (HQ-WWF) having 169 linear feet of temporary stream and floodway impacts.	40.940639 N -79.835364 W
23	One (1) 16" steel gathering line with associated right-of-way and temporary road crossing to cross UNT to Connoquenessing Creek (HQ-WWF) having 155 linear feet of temporary stream and floodway impacts.	40.938064 N -79.836558 W

<i>Impact No.</i>	<i>Description of Impact</i>	<i>Latitude / Longitude</i>
24	One temporary road crossing to cross the floodway of a UNT to Connoquenessing Creek (HQ-WWF) having 125 linear feet of temporary floodway impacts.	40.932786 N -79.833053 W
25	One (1) 16" steel gathering line with associated right-of-way and temporary road crossing to cross the floodway of a UNT to Connoquenessing Creek (HQ-WWF) having 125 linear feet of temporary floodway impacts.	40.934683 N -79.835319 W
26	One (1) 16" steel gathering line with associated right-of-way and temporary road crossings to cross UNT to Connoquenessing Creek (HQ-WWF) having 257 linear feet of temporary stream and floodway impacts.	40.931933 N -79.833033 W
27	One (1) 16" steel gathering line with associated right-of-way and temporary road crossing to cross UNT to Connoquenessing Creek (HQ-WWF) having 180 linear feet of temporary floodway impacts.	40.931906 N -79.833139 W
28	One (1) 16" steel gathering line with associated right-of-way and temporary road crossing to cross UNT to Connoquenessing Creek (HQ-WWF) having 188 linear feet of temporary stream and floodway impacts.	40.929989 N -79.820514 W
29	One (1) 16" steel gathering line with associated right-of-way and temporary road crossing to cross UNT to Thorn Creek (HQ-WWF) having 163 linear feet of temporary stream and floodway impacts.	40.931308 N -79.806411 W
30	One (1) 16" steel gathering line with associated right-of-way and temporary road crossing to cross the floodway of a UNT to Thorn Creek (HQ-WWF) having 125 linear feet of temporary floodway impacts.	40.931100 N -79.805897 W
31	One (1) 16" steel gathering line with associated right-of-way and temporary road crossing to cross Thorn Creek (HQ-WWF) having 130 linear feet of temporary stream and floodway impacts.	40.930692 N -79.803478 W
32	One (1) 16" steel gathering line to be bored under a Palustrine Emergent Wetland (EV-PEM) having 0.0007 acre of temporary impacts.	40.954536 N -79.902303 W
33	One (1) 16" steel gathering line and associated right of way and temporary road crossing to impact a Palustrine Forested Wetland (EV-PFO) having 0.05 acre of permanent impacts.	40.952389 N -79.880678 W
34	One (1) 16" steel gathering line and associated right of way and temporary road crossing to impact a Palustrine Emergent Wetland (EV-PEM) having 0.10 acre of temporary impacts.	40.952625 N -79.876533 W
35	One (1) 16" steel gathering line and associated right of way and temporary road crossing to impact a Palustrine Emergent Wetland (EV-PEM) having 0.033 acre of temporary impacts.	40.952606 N -79.875042 W
36	One (1) 16" steel gathering line and associated right of way and temporary road crossing to impact a Palustrine Scrub Shrub Wetland (EV-PSS) having 0.07 acre of temporary impacts.	40.950558 N -79.851361 W
37	One (1) 16" steel gathering line and associated right of way and temporary road crossing to impact a Palustrine Scrub Shrub Wetland (EV-PSS) having 0.24 acre of temporary impacts.	40.951250 N -79.831672 W
38	One temporary road crossing to cross the floodway of a UNT to Thorn Creek (HQ-WWF) having 70 linear feet of temporary floodway impact.	40.931083 N -79.804144 W

In Butler County, the project will result in a total of 1,758 linear feet of temporary stream impacts, 226,509 square feet of temporary floodway impacts, 0.37 acre of permanent impacts to wetlands, and 0.5 acre of temporary impact to wetlands.

E5410-001. Pennsylvania Department of Environmental Protection, Bureau of Abandoned Mine Reclamation, 400 Market Street, 13th Floor, P.O. Box 69205, Harrisburg, PA 17106-9205. New Gilberton Pump Station Project, in Gilberton Borough, **Schuylkill County**, (Shenandoah, PA Quadrangle Latitude: 40.799876, Longitude: -76.208350). The Department proposes to install a

new pump station with appurtenances and more specifically: (1) construction of pumping equipment, controls and appurtenances on a concrete slab foundation within the flood fringe of the 100-year floodplain of Mahanoy Creek, (2) site work associated with project includes erosion and sediment control measures, grading, borehole drilling and connection to utilities, and (3) permanent operation and maintenance of pumping equipment and appurtenances by the Department. The project proposes to directly affect a total of approximately 0.01 acre of flood fringe within the 100-year floodplain and received previous authorization by the Department for the work under Emergency Permit EP5410-001 issued on September 21, 2016.

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

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

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

Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335.

ESCGP-2 # ESX16-005-0010—Cougar Well Pad
Applicant Burnett Oil Co., Inc.
Contact Dan Tomley
Address 375 Southpointe Blvd., Suite 430
City Cannonsburg State PA Zip Code 15317
County Armstrong Township South Bend
Receiving Stream(s) and Classification(s) UNT to Crooked Creek

ESCGP-2 # ESX11-065-0037B—RC Winslow 1H Well Pad
Applicant XTO Energy, Inc.
Contact Ms. Melissa Breitenbach
Address 190 Thorn Hill Road
City Warrendale State PA Zip Code 15086
County Jefferson Township(s) McCalmont
Receiving Stream(s) and Classification(s) UNT Little Sandy Creek (CF, MF)

ESCGP-2 # ESG416-019-0008—Renick to Shields Pipeline
Applicant Stonehenge Appalachia
Contact Patrick Redalen
Address 11400 Westmoor Circle, Suite 325
City Westminster State CO Zip Code 80021
County Butler Townships Center Oakland and Clay Townships
Receiving Stream(s) and Classification(s) UNTs to Stony Run, UNTs to Pine Run, Pine Run, UNTs to Connoquenessing Creek, Connoquenessing Creek, UNTs to Thorn Creek, and Thorn Creek.

Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701.

ESCGP-2 # ESX29-015-16-0034
Applicant Name SWN Production Co LLC
Contact Person Justin Moore
Address 917 SR 92 North
City, State, Zip Tunkhannock, PA 18657

County Bradford
Township(s) Stevens
Receiving Stream(s) and Classification(s) UNT to Cold Creek (WWF/MF)
Secondary—Cold Creek

ESCGP-2 # ESX29-015-17-0011
Applicant Name Appalachia Midstream Svcs LLC
Contact Person Josh Brown
Address 400 IST Center, Suite 404
City, State, Zip Horseheads, NY 14845
County Bradford
Township(s) Smithfield
Receiving Stream(s) and Classification(s) UNT to W Branch Tomjack Ck (TSF); W Branch Tomjack Ck (TSF)
Secondary—Tomjack Ck

ESCGP-2 # ESX29-117-16-0023
Applicant Name SWEPI LP
Contact Person Jason Shoemaker
Address 150 N Dairy Ashford, E1296-E
City, State, Zip Houston, TX 77079
County Tioga
Township(s) Charleston
Receiving Stream(s) and Classification(s) Hills Ck (WWF)

ESCGP-2 # ESX11-115-0179(01)
Applicant Name SWN Production Co LLC
Contact Person Justin Moore
Address 917 SR 92 N
City, State, Zip Tunkhannock, PA 18657
County Susquehanna
Township(s) New Milford
Receiving Stream(s) and Classification(s) UNT to Butler Ck (CWF-MF)

ESCGP-2 # ESG29-081-16-0039
Applicant Name SWEPI LP
Contact Person Jason Shoemaker
Address 150 N Dairy Ashford, E1296-E
City, State, Zip Houston, TX 77079
County Lycoming
Township(s) McIntyre
Receiving Stream(s) and Classification(s) UNT to Red Run (CWF)
Secondary—Red Run (CWF)

ESCGP-2 # ESG29-081-17-0002
Applicant Name Anadarko E & P Onshore LLC
Contact Person Stephen Barondeau
Address 33 W Third St, Suite 200
City, State, Zip Williamsport, PA 17701
County Lycoming
Township(s) McIntyre
Receiving Stream(s) and Classification(s) UNT to Red Run (CWF); UNT to Frozen Run (HQ-CWF)
Secondary—Red Run (CWF); Frozen Run (HQ-CWF)

ESCGP-2 # ESX29-081-17-0006
Applicant Name Inflection Energy PA LLC
Contact Person Thomas Gillespie
Address 101 W Third St, 5th Fl
City, State, Zip Williamsport, PA 17701
County Lycoming
Township(s) Upper Fairfield
Receiving Stream(s) and Classification(s) Mill Ck (TSF)
Secondary—Loyalsock Ck (EV)

ESCGP-2 # ESX29-117-17-0007
Applicant Name SWEPI LP
Contact Person Jason Shoemaker
Address 150 N Dairy Ashford, E1296-E
City, State, Zip Houston, TX 77079
County Tioga

Township(s) Osceola
 Receiving Stream(s) and Classification(s) Holden Creek
 (WWF)

ESCGP-2 # ESX11-117-0011(02)
 Applicant Name SWEPI LP
 Contact Person Jason Shoemaker
 Address 150 N Dairy Ashford, E1296-E
 City, State, Zip Houston, TX 77079
 County Tioga

Township(s) Chatham
 Receiving Stream(s) and Classification(s) Crooked Ck
 (WWF)

[Pa.B. Doc. No. 17-577. Filed for public inspection April 7, 2017, 9:00 a.m.]

Funding is available for public and private entities that operate diesel-powered fleets throughout this Commonwealth. These entities may include school districts, municipal authorities, political subdivisions, other State agencies, nonprofit entities, corporations, limited liability companies or partnerships incorporated or registered in this Commonwealth. Projects must use technologies certified or verified by the EPA or the California Air Resources Board to lower diesel emissions, unless otherwise noted in the Program guidelines. The technology may be a single technology or a combination of available technologies. The majority of the fleet's annual operation time must occur within this Commonwealth.

The Department will not reimburse grant recipients for project costs incurred prior to the grant performance period set forth in the applicable grant agreement.

The application package including guidance, instructions and application forms is available by contacting Samantha Harmon, Department of Environmental Protection, Bureau of Air Quality, 12th Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8468, Harrisburg, PA 17105-8468, (717) 787-9495. The application package is also available electronically on the Department's web site at www.dep.pa.gov under the Bureau of Air Quality's "Grant Availability" heading (search "Air Quality").

The Department will begin accepting applications on April 8, 2017. Applications must be postmarked on or before May 12, 2017. Faxes and electronic copies will not be accepted.

PATRICK McDONNELL,
Acting Secretary

[Pa.B. Doc. No. 17-578. Filed for public inspection April 7, 2017, 9:00 a.m.]

Opening of the Grant Application Acceptance Period for the Pennsylvania State Clean Diesel Grant Program

The Department of Environmental Protection (Department) announces an opportunity to apply for \$396,904 that has been made available through the United States Environmental Protection Agency (EPA) and the Federal Diesel Emission Reduction Act of 2010 (Pub.L. No. 111-364). This funding is available through the Pennsylvania State Clean Diesel Grant Program (Program) for eligible diesel emission reduction projects that will improve air quality and protect public health and the environment in this Commonwealth by reducing emissions from diesel-powered vehicles and engines.

The Department is seeking applications for projects that will replace, repower or retrofit fleet diesel-powered highway and nonroad vehicles, engines and equipment.

Planning Grant Awards under Section 901 of the Municipal Waste Planning, Recycling and Waste Reduction Act, Act 101 of 1988

The Department of Environmental Protection (Department) announces the following grant to Northampton County under section 901 of the Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101) (53 P.S. § 4000.901) and section 208 of the Small Business and Household Pollution Prevention Program Act (35 P.S. § 6029.208).

Planning grants are awarded to counties for 80% of approved costs for preparing municipal waste management plans as required by Act 101 for carrying out related studies, surveys, investigations, inquiries, research and analysis, including those related to siting, environmental mediation, education programs on pollution prevention and household hazardous waste (HHW), and providing technical assistance to small businesses for pollution prevention. Grants may be awarded for feasibility studies and project development for municipal waste processing or disposal facilities, except for facilities for the combustion of municipal waste that are not proposed to be operated for the recovery of energy. All grant awards are predicated on the receipt of recycling fees required by sections 701 and 702 of Act 101 (53 P.S. §§ 4000.701 and 4000.702), and the availability of funds in the Recycling Fund.

Inquiries regarding the grant offerings should be directed to Mark Vottero, Department of Environmental Protection, Bureau of Waste Management, Division of Waste Minimization and Planning, P.O. Box 8472, Harrisburg, PA 17105-8472 at (717) 772-5719 or mvottero@pa.gov.

Act 101, Section 901 Planning Grant

<i>Region</i>	<i>County</i>	<i>Applicant</i>	<i>Project</i>	<i>Grant</i>
Northeast	Northampton	Northampton County	HHW Education	\$26,400

PATRICK McDONNELL,
Acting Secretary

[Pa.B. Doc. No. 17-579. Filed for public inspection April 7, 2017, 9:00 a.m.]

Rescission of Technical Guidance

Technical guidance documents are available on the Department of Environmental Protection's (Department) web site at www.elibrary.dep.state.pa.us. The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final technical guidance documents are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft technical guidance documents.

Ordering Paper Copies of Department Technical Guidance

The Department encourages the use of the Internet to view and download technical guidance documents. When this option is not available, persons can order a paper copy of any of the Department's draft or final technical guidance documents by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

Changes to Technical Guidance Documents

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

Rescission of Technical Guidance

DEP ID: 271-5000-001. **Title:** Employer Trip Reduction Policy. **Description:** This document is being rescinded because the regulation on which it is based, 25 Pa. Code Chapter 126, Subchapter B and Appendix A, has been rescinded, effective July 14, 2012, published at 42 Pa.B. 4459 (July 14, 2012). The Employer Trip Reduction (ETR) regulation was never implemented as a result of the act of November 16, 1994 (P.L. 614, No. 95) (Act 95), which amended 75 Pa.C.S. (relating to Vehicle Code) to require the Governor to suspend implementation and enforcement of the ETR program until March 31, 1995, or until an alternative program with equivalent emission reductions was developed. The document, the Employer Trip Reduction Policy, is no longer necessary, as the rescission of the regulation eliminates the need for guidance on compliance with the regulation in relation to Act 95. This rescission will have no effect on the operation of air quality programs, because the regulation it is based on has been repealed.

Contact: Questions regarding this action should be directed to Samantha Harmon at (717) 705-7686 or saharmon@pa.gov.

Effective Date: April 10, 2017

PATRICK McDONNELL,
Acting Secretary

[Pa.B. Doc. No. 17-580. Filed for public inspection April 7, 2017, 9:00 a.m.]

Small Business Compliance Advisory Committee Meeting Cancellation

The April 26, 2017, meeting of the Small Business Compliance Advisory Committee (Committee) is cancelled. The next Committee meeting is scheduled for 10 a.m. on Wednesday, July 26, 2017, in the 12th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101.

For additional information, contact Nancy Herb at (717) 783-9269 or nherb@pa.gov. The agenda and materials for the July 26, 2017, meeting will be available through the Public Participation Center tab on the Department of Environmental Protection's (Department) web site at <http://www.dep.pa.gov> (select "Public Participation," then "Advisory Committees," then "Air Advisory Committees," then "Small Business Compliance").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Kaylene Wance at (717) 787-9257 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,
Acting Secretary

[Pa.B. Doc. No. 17-581. Filed for public inspection April 7, 2017, 9:00 a.m.]

DEPARTMENT OF GENERAL SERVICES

Real Estate for Sale Lawrence County

The Department of General Services (Department) will accept bids for the purchase of the former New Castle Youth Development Center, consisting of 143.34 ± acres of land and 13 buildings totaling 236,444 ± square feet, located at 1745 Frew Mill Road, New Castle, Shenango Township, Lawrence County. Bids are due Wednesday, May 24, 2017. Interested parties wishing to receive a copy of Solicitation No. 94882 should view the Department's web site at www.dgs.pa.gov or call Andrew Lick at (717) 772-8842.

CURTIS M. TOPPER,
Secretary

[Pa.B. Doc. No. 17-582. Filed for public inspection April 7, 2017, 9:00 a.m.]

DEPARTMENT OF HEALTH

Ambulatory Surgical Facilities; Requests for Exceptions

The following ambulatory surgical facilities (ASF) have filed requests for exception under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license ASFs under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following requests for exception relate to regulations governing ASF licensure in 28 Pa. Code Chapters 51 and 551—571 (relating to general information; and ambulatory surgical facilities).

<i>Facility Name</i>	<i>Regulation</i>
Lehigh Valley Vascular Institute, LLC	28 Pa. Code § 551.31(a) (relating to licensure) 28 Pa. Code § 559.2 (relating to director of nursing)
Main Line Vascular Institute, LLC	28 Pa. Code § 551.31(a) 28 Pa. Code § 559.2

The previously listed requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163 or ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 17-583. Filed for public inspection April 7, 2017, 9:00 a.m.]

Hospitals; Requests for Exceptions

The following hospitals have filed requests for exceptions under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license hospitals under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). Department regulations governing hospital licensure can be found in 28 Pa. Code Chapters 51 and 101—158 (relating to general information; and general and special hospitals). The following hospitals are requesting exceptions to 28 Pa. Code § 153.1 (relating to minimum standards) which contains minimum standards that hospitals must comply with under the *Guidelines for Design and Construction of Hospitals and Outpatient Facilities (Guidelines)*. The following list includes the citation to the section under the *Guidelines* that the hospital is seeking an exception, as well as the publication year of the applicable *Guidelines*.

<i>Facility Name</i>	<i>Guidelines Section</i>	<i>Relating to</i>	<i>Publication Year</i>
Aria Health	2.2-3.4.5.4	Patient toilet rooms (ultrasound facilities)	2014
Magee-Womens Hospital of UPMC Health Systems	2.2-3.4.5.4	Patient toilet rooms (ultrasound facilities)	2014

The previously listed requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163 or ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 17-584. Filed for public inspection April 7, 2017, 9:00 a.m.]

Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 211.9(g) (relating to pharmacy services):

Elkins Crest Health and Rehabilitation Center
265 East Township Line Road
Elkins Park, PA 19027
FAC ID # 460502

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

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

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the address or phone number listed previously, or for speech and/or

hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 17-585. Filed for public inspection April 7, 2017, 9:00 a.m.]

Renal Disease Advisory Committee Meeting

The Renal Disease Advisory Committee, established by section 4 of the act of June 23, 1970 (P.L. 419, No. 140) (35 P.S. § 6204), will hold its quarterly public meeting on Friday, April 21, 2017, from 10 a.m. to 1 p.m. The purpose of the meeting is to discuss new and ongoing issues relating to treatment of chronic renal disease and the Department of Health's programs related to care and treatment. The meeting will be held in Conference Room 907, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120.

For additional information or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact Tara Landis, Director, Division of Child and Adult Health Services, 7th Floor East, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (717) 772-2762, or for a speech and/or hearing impaired persons, call V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984.

This meeting is subject to cancellation without notice.

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 17-586. Filed for public inspection April 7, 2017, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Federal Poverty Income Guidelines for 2017

The Department of Human Services (Department) announces the implementation in this Commonwealth of the 2017 Federal Poverty Income Guidelines (FPIG) which were issued by the Department of Health and Human Services and published at 82 FR 8831 (January 31, 2017).

The FPIGs are the basis for the income eligibility limits for several categories of Medicaid whose regulations are published in 55 Pa. Code (relating to human services) and administered by the Department. These categories include Healthy Horizons for the Elderly and Disabled (55 Pa. Code Chapter 140, Subchapter B (relating to eligibility provisions for the healthy horizons program for the elderly/disabled)) and the Modified Adjusted Gross Income (MAGI) based eligibility categories for pregnant women, children, parent/caretakers and adults. The MAGI categories were established by the Department's implementation of the Patient Protection and Affordable Care Act (Pub.L. No. 111-148) at 43 Pa.B. 4035 (July 13, 2013).

The percentages for the Medicaid categories of MAGI and Healthy Horizons are set forth as follows:

MAGI—

- a. 215% for pregnant women and infants under 1 year of age; and the Family Planning Services program.
- b. 157% for children 1 through 5 years of age.
- c. 133% for children 6 through 18 years of age and for adults 19 through 64 years of age.
- d. 33% for children through 18 years of age and parents/caretakers.

*MAGI FPIGs represent the MAGI converted standards which will be valid until September 2019.

Healthy Horizons—

- a. 100% for persons eligible for categorically needy, Medicare Buy-In and Medicare cost-sharing benefits.
- b. 120% for persons eligible for the Specified Low-Income Medicare Beneficiaries.
- c. 135% for persons eligible for the Qualifying Individuals Beneficiaries benefits.

There are different resource limits for each of the Healthy Horizons programs.

Persons	33% of FPIG		100% of FPIG		120% of FPIG	
	Month	Annual	Month	Annual	Month	Annual
1	\$332	\$3,980	\$1,005	\$12,060	\$1,206	\$14,472
2	\$447	\$5,360	\$1,354	\$16,240	\$1,624	\$19,488
3	\$562	\$6,739	\$1,702	\$20,420	\$2,042	\$24,504
4	\$677	\$8,118	\$2,050	\$24,600	\$2,460	\$29,520
5	\$792	\$9,498	\$2,399	\$28,780	\$2,878	\$34,536
6	\$907	\$10,877	\$2,747	\$32,960	\$3,296	\$39,552
7	\$1,022	\$12,257	\$3,095	\$37,140	\$3,714	\$44,568
8	\$1,137	\$13,636	\$3,444	\$41,320	\$4,132	\$49,584
Each Additional Person	\$115	\$1,380	\$349	\$4,180	\$418	\$5,016

Persons	133% of FPIG		135% of FPIG		157% of FPIG	
	Month	Annual	Month	Annual	Month	Annual
1	\$1,337	\$16,040	\$1,357	\$16,281	\$1,578	\$18,935
2	\$1,800	\$21,600	\$1,827	\$21,924	\$2,125	\$25,497
3	\$2,264	\$27,159	\$2,298	\$27,567	\$2,672	\$32,060
4	\$2,727	\$32,718	\$2,768	\$33,210	\$3,219	\$38,622
5	\$3,190	\$38,278	\$3,238	\$38,853	\$3,766	\$45,185
6	\$3,654	\$43,837	\$3,708	\$44,496	\$4,313	\$51,748
7	\$4,117	\$49,397	\$4,179	\$50,139	\$4,860	\$58,310
8	\$4,580	\$54,956	\$4,649	\$55,782	\$5,407	\$64,873
Each Additional Person	\$464	\$5,560	\$471	\$5,643	\$547	\$6,563

Persons	200% of FPIG		215% of FPIG		235% of FPIG		250% of FPIG	
	Month	Annual	Month	Annual	Month	Annual	Month	Annual
1	\$2,010	\$24,120	\$2,161	\$25,929	\$2,362	\$28,341	\$2,513	\$30,150
2	\$2,707	\$32,480	\$2,910	\$34,916	\$3,181	\$38,164	\$3,384	\$40,600
3	\$3,404	\$40,840	\$3,659	\$43,903	\$3,999	\$47,987	\$4,255	\$51,050
4	\$4,100	\$49,200	\$4,408	\$52,890	\$4,818	\$57,810	\$5,125	\$61,500
5	\$4,797	\$57,560	\$5,157	\$61,877	\$5,637	\$67,633	\$5,996	\$71,950
6	\$5,494	\$65,920	\$5,906	\$70,864	\$6,455	\$77,456	\$6,867	\$82,400
7	\$6,190	\$74,280	\$6,655	\$79,851	\$7,274	\$87,279	\$7,738	\$92,850
8	\$6,887	\$82,640	\$7,404	\$88,838	\$8,092	\$97,102	\$8,609	\$103,300
Each Additional Person	\$697	\$8,360	\$749	\$8,987	\$819	\$9,823	\$871	\$10,450

Additional information on the programs is available at the county assistance offices.

This notice shall take effect upon publication in the *Pennsylvania Bulletin* and apply retroactively to January 26, 2017.

Public Comments

Interested persons are invited to submit written comments regarding the implementation of the FPIGs to the Department of Human Services, Office of Income Maintenance, Cathy Buhrig, Director, Bureau of Policy, Room 427, Health and Welfare Building, Harrisburg, PA 17120. Comments received within 30 calendar days will be reviewed and considered.

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

THEODORE DALLAS,
Secretary

Fiscal Note: 14-NOT-1127. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 17-587. Filed for public inspection April 7, 2017, 9:00 a.m.]

New Class of Disproportionate Share Payments

The Department of Human Services (Department) is announcing its intent to create a new class of disproportionate share hospital (DSH) payments for qualifying Medical Assistance (MA) enrolled acute care general hospitals to promote access to acute care services for MA eligible persons in less urban areas of this Commonwealth.

Qualifying Criteria

For a hospital to qualify for this DSH payment, it must meet all of the following criteria, based on its State Fiscal Year (FY) 2013-2014 MA-336 Hospital Cost Report available to the Department as of October 2016 unless otherwise specified:

- a) The hospital is enrolled in the MA Program as a general acute care hospital.
- b) The hospital is located in a city of the third class, as defined in the *Pennsylvania Manual* (Volume 121) with a population of at least 25,000 persons, based on the 2010 Census.
- c) The hospital has at least 150 beds.
- d) The hospital reported an Inpatient Low-Income Utilization Rate of at least 20.0%.
- e) The hospital's ratio of uncompensated care to net patient revenue was higher than 3.75%, based on the Pennsylvania Health Care Cost Containment Council's *Financial Analysis 2015, Volume One*.

Payment Determination

The Department will determine a qualifying hospital's payment amount for this class of DSH payments by dividing the hospital's MA inpatient days by the total MA inpatient days for all qualifying hospitals and multiplying that percentage by the total amount allocated for these payments. The Department will use data from the FY 2013-2014 MA-336 Hospital Cost Report for this calculation.

All payment limitations are still applicable, including those limitations that the Commonwealth may not exceed its aggregate annual DSH allotment and that no hospital may receive DSH payments in excess of its hospital-specific limit.

Fiscal Impact

The FY 2016-2017 impact, as a result of the creation of the new class of DSH payments, is \$0.622 million (\$0.300 million in State general funds and \$0.322 million in Federal funds) upon approval by the Centers for Medicare & Medicaid Services.

Public Comment

Interested persons are invited to submit written comments regarding these payments to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. The Department will review and consider all comments received within 30 days of this notice.

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

THEODORE DALLAS,
Secretary

Fiscal Note: 14-NOT-1126. (1) General Fund;

(7) MA—Academic Medical Centers; (2) Implementing Year 2016-17 is \$500,000; (3) 1st Succeeding Year 2017-18 through 5th Succeeding Year 2021-22 are \$0; (4) 2015-16 Program—\$17,431,000; 2014-15 Program—\$17,431,000; 2013-14 Program—\$16,831,000;

(7) MA—Fee-for-Service; (2) Implementing Year 2016-17 is \$9,930,000; (3) 1st Succeeding Year 2017-18 through 5th Succeeding Year 2021-22 are \$0; (4) 2015-16 Program—\$392,918,000; 2014-15 Program—\$546,772,000; 2013-14 Program—\$428,041,000;

(7) MA—Physician Practice Plans; (2) Implementing Year 2016-17 is \$1,500,000; (3) 1st Succeeding Year 2017-18 through 5th Succeeding Year 2021-22 are \$0; (4) 2015-16 Program—\$9,571,000; 2014-15 Program—\$9,071,000; 2013-14 Program—\$9,071,000;

(8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 17-588. Filed for public inspection April 7, 2017, 9:00 a.m.]

New Class of Disproportionate Share Payments

The Department of Human Services (Department) is announcing its intent to create a new class of disproportionate share hospital (DSH) payments for qualifying Medical Assistance (MA) enrolled acute care general hospitals that promote access to comprehensive inpatient services for MA eligible persons by providing an adequate supply of health care professionals, who have been trained in high volume MA enrolled hospital settings.

Qualifying Criteria

For a hospital to qualify for this DSH payment, it must meet all of the following criteria, based on its State Fiscal Year (FY) 2013-2014 MA-336 Hospital Cost Report available to the Department as of October 2016 unless otherwise specified:

- a) The hospital is enrolled in the MA Program as a general acute care hospital.
- b) The hospital provides acute care, psychiatric and medical rehabilitation services to MA eligible individuals.
- c) The total number of MA inpatient days provided by the hospital exceeded the 99th percentile for all acute care hospitals in FY 2013-2014 in this Commonwealth.
- d) The hospital had more than 700 full-time equivalent residents in programs approved by the Accreditation Council for Graduate Medical Education.

Payment Determination

The Department will determine a hospital's payment amount for this class of DSH payments by dividing the hospital's MA inpatient days by the total MA inpatient days for all qualifying hospitals and multiplying that percentage by the total amount allocated for these payments. The Department will use data from the FY 2013-2014 MA-336 Hospital Cost Report for this calculation.

All payment limitations are still applicable, including those limitations that the Commonwealth may not exceed its aggregate annual DSH allotment and that no hospital may receive DSH payments in excess of its hospital specific limit.

Fiscal Impact

The FY 2016-2017 impact, as a result of the creation of this new class of DSH payments, is \$24.745 million (\$11.930 million in State general funds and \$12.815 million in Federal funds) upon approval by the Centers for Medicare & Medicaid Services.

Public Comment

Interested persons are invited to submit written comments regarding these payments to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. The Department will review and consider all comments received within 30 days of this notice.

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

THEODORE DALLAS,
Secretary

Fiscal Note: 14-NOT-1125. (1) General Fund; (2) Implementing Year 2016-17 is \$300,000; (3) 1st Succeeding Year 2017-18 through 5th Succeeding Year 2021-22 are \$0; (4) 2015-16 Program—\$392,918,000; 2014-15 Program—\$564,772,000; 2013-14 Program—\$428,041,000; (7) MA—Fee-for-Service; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 17-589. Filed for public inspection April 7, 2017, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Medical Advisory Board Meeting

The Medical Advisory Board (Board) will meet on Friday, April 28, 2017. The meeting will begin at 10 a.m. at the Riverfront Office Center, Transportation University, 1101 South Front Street, Harrisburg, PA. Chairperson Kara N. Templeton will preside. The meeting is open to the public.

Members of the public interested in addressing the Board with concerns relating to medical regulations must contact John Zimmerman at (717) 783-4534 by Friday, April 21, 2017. These concerns will be discussed during "Items from the Floor" on the agenda, which will open at 12:15 p.m.

The meeting location is accessible to persons with disabilities. Persons with special needs or requiring special aids are also requested to contact John Zimmerman at (717) 783-4534 prior to the meeting so that disability needs may be accommodated.

LESLIE S. RICHARDS,
Secretary

[Pa.B. Doc. No. 17-590. Filed for public inspection April 7, 2017, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Filing of Final Rulemaking

The Independent Regulatory Review Commission (Commission) received the following regulation. It is scheduled to be considered on the date noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or it can be viewed on the Commission's web site at www.irrc.state.pa.us.

Final-Omit

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
6-337	Department of Education Postsecondary Distance Education Reciprocity	3/27/17	5/18/17

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 17-591. Filed for public inspection April 7, 2017, 9:00 a.m.]

INSURANCE DEPARTMENT

American Progressive Life and Health Insurance Company of New York (SERFF # UNAM-130958072); Rate Increase Filing for Several LTC Forms

American Progressive Life and Health Insurance Company of New York is requesting approval to increase the premium an aggregate 25% on 135 policyholders with LTC forms HHC 1/98, PRNHO, PRNHQ, PRNHQQR and QHHC 11/99.

Unless formal administrative action is taken prior to June 22, 2017, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov (hover the cursor over the "Consumers" tab, then select "Long Term Care Rate Filings").

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 17-592. Filed for public inspection April 7, 2017, 9:00 a.m.]

Blue Cross of Northeastern Pennsylvania (SERFF # MILL-130951717); Rate Increase Filing for Several LTC Forms

Blue Cross of Northeastern Pennsylvania is requesting approval to increase the premium an aggregate 73% on 108 policyholders with LTC forms NTQ11-337-PA-998, LTQ11-Revised-336-PA-998, FLQ11-336-PA-998 and HTQ11-338-PA-998.

Unless formal administrative action is taken prior to June 22, 2017, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov (hover the cursor over the "Consumers" tab, then select "Long Term Care Rate Filings").

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 17-593. Filed for public inspection April 7, 2017, 9:00 a.m.]

MedAmerica Insurance Company (SERFF # MILL-130925276); Rate Increase Filing for Several LTC Forms

MedAmerica Insurance Company is requesting approval to increase the premium an aggregate 96.9% on 290 policyholders with LTC forms LTC-LBP-2PA, LTC-LBP8-MA-PA, LTC-CD5-2PA, LTC-CD8-MA-PA, LTC-CD9-MA-PA, NTQ11-337-MA-PA-601, NTQ11-337-MA-PA-998, LTQ11-336-MA-PA-601, LTQ11-336-MA-PA-998, FLQ11-336-MA-PA-601, HTQ11-338-MA-PA-601 and HTQ11-338-MA-PA-998.

Unless formal administrative action is taken prior to June 22, 2017, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov (hover the cursor over the "Consumers" tab, then select "Long Term Care Rate Filings").

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 17-594. Filed for public inspection April 7, 2017, 9:00 a.m.]

MedAmerica Insurance Company (SERFF # TRIP-130957777); Rate Increase Filing for Several LTC Forms

MedAmerica Insurance Company is requesting approval to increase the premium an aggregate 9.4% on 663 policyholders with LTC forms SPL2-336-PA, SPL2-336-PA rev, FSPL2-336-PA and FSPL2-336-PA rev.

Unless formal administrative action is taken prior to June 22, 2017, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov (hover the cursor over the "Consumers" tab, then select "Long Term Care Rate Filings").

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 17-595. Filed for public inspection April 7, 2017, 9:00 a.m.]

Review of Matters Regarding Highmark, Inc., Highmark Health and Allegheny Health Network in Connection with the Insurance Department's Approving Determination and Order Issued on April 29, 2013; Notice 2017-04

Highmark, Inc. (Highmark) has filed a request for modification of the Insurance Department's (Department) Approving Determination and Order dated April 29, 2013, (Order No. ID-RC-13-06) (2013 Order) under Condition 27 of the 2013 Order. Highmark seeks to modify Conditions

10 and 11 of the 2013 Order. Additionally, Highmark has filed a document titled "Allegheny Health Network Strategic and Financial Plan, 2017—2020" (Plan). The Plan was filed under Condition H of the Department's June 19, 2015, letter approving certain financial commitments of Highmark and in response to the Department's letter dated January 14, 2016. Highmark intends this document to be a substitute for an updated Corrective Action Plan.

The materials were filed with the Department on March 27, 2017, and were made available on the Department's web site at www.insurance.pa.gov after a brief initial review. Persons wishing to comment on the request for modification, on the grounds of public or private interest, are invited to submit a written statement to the Department on or before April 24, 2017. Each written statement must include the name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Joseph DiMemmo, Deputy, Office of Corporate and Financial Regulation, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, ra-incomment@pa.gov.

Comments received will be part of the public record regarding this filing and will be made available on the Department's web site. Additionally, copies of the comments received will be forwarded to the applicant for appropriate response. The applicant's responses will also be made available on the Department's web site.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 17-596. Filed for public inspection April 7, 2017, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insured has requested a hearing as authorized by the act of June 17, 1998 (P.L. 464, No. 68) (Act 68) in connection with the termination of the insured's automobile insurance policy. The hearing will be held in accordance with the requirements of Act 68; 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law); 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held in the Insurance Department's regional office in Harrisburg, PA. Failure by the appellant to appear at the 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 North Seventh Street, Harrisburg, PA 17102.

Appeal of Victor Perez; File No. 17-114-207113; State Farm Fire & Casualty Company; Doc. No. P17-03-012; May 10, 2017, 9:30 a.m.

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 the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Donna R. Fleischauer, Human Resources Director, at (717) 705-4194.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 17-597. Filed for public inspection April 7, 2017, 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 (act) (40 P.S. § 1171.8) in connection with the company's termination of the insureds' homeowners policy. The hearing will be held in accordance with the requirements of the act; 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law); 1 Pa. Code Part II (relating to Administrative Rules of Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held in the Insurance Department's regional office in Harrisburg, PA. Failure by the appellant to appear at the 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 North Seventh Street, Harrisburg, PA 17102.

Appeal of Patrick Booth and Kyle Calp; File No. 17-188-207237; State Farm Fire and Casualty Company; Doc. No. P17-03-010; May 11, 2017, 10 a.m.

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 the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Donna R. Fleischauer, Human Resources Director, at (717) 705-4194.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 17-598. Filed for public inspection April 7, 2017, 9:00 a.m.]

PATIENT SAFETY AUTHORITY DEPARTMENT OF HEALTH

Final Guidance for Acute Health Care Facility Determinations of Reporting Requirements for Pressure Injuries under the Medical Care Avail- ability and Reduction of Error (MCARE) Act

This document outlines final guidance to help acute health care facilities in this Commonwealth make determinations about whether occurrences of pressure injuries meet the statutory definitions of incidents or serious events as defined in section 302 of the Medical Care Availability and Reduction of Error (MCARE) Act (MCARE Act) (40 P.S. § 1303.302). These recommendations were developed by a multidisciplinary work group consisting of staff from the Patient Safety Authority (Authority), two physician members of the Authority's Board of Directors, and the Department of Health (Department); representatives of the Hospital and Healthsystem Association of Pennsylvania, the Healthcare Council of Western Pennsylvania, the Pennsylvania Ambulatory Surgery Association and the Health Care Improvement Foundation; a patient representative; and a panel of wound care experts. The work group included individuals with backgrounds in medicine (including wound care), nursing (including wound, ostomy and continence nurses (WOCN)), administration and facility operations, regulation, and patient safety and health care quality. Draft guidance was issued for public comment at 46 Pa.B. 6198 (October 1, 2016). This document includes the responses by the Authority and the Department to the 15 correspondences (for example, comments and e-mails) received.

This guidance was developed to provide consistent and clear standards for the MCARE Act's reporting requirements for pressure injuries so that the Authority, the Department and health care facility staff have a shared understanding of the requirements. The subjects of these requirements were identified based on inconsistencies that are evident in the data collected by the Authority and the Department.

Implementation

The following principles have been approved by the Authority and the Department. The agencies will modify the Authority's Pennsylvania Patient Safety Reporting System (PA-PSRS) to support implementation of these standards and develop an education program to inform patient safety officers and other stakeholders of these changes. Education will be made available before the changes take effect in PA-PSRS. These principles will be effective January 1, 2018.

Concept of Harm

Patient safety event reporting in this Commonwealth was designed to be nonpunitive and does not include the concepts of preventability. The concepts of human error and preventability are not included in the 2014 Final Guidance for Acute Healthcare Facility Determinations of Reporting Requirements under MCARE Act. It is not necessary for an error to have occurred, or for harm to be preventable, for an event to be considered reportable.

Statutory Definitions of Reportable Events

Serious Event: An event, occurrence or situation involving the clinical care of a patient in a medical facility that

results in death or compromises patient safety and results in an unanticipated injury requiring the delivery of additional health care services to the patient.

Incident: An event, occurrence or situation involving the clinical care of a patient in a medical facility, which could have injured the patient but did not either cause an unanticipated injury or require the delivery of additional health care services to the patient.

Pressure Injury Definition

The definition for pressure injuries used to develop the guidance is adopted from the National Pressure Ulcer Advisory Panel (NPUAP). The panel released an update on April 13, 2016, announcing changes in terminology from pressure ulcer to pressure injury and updating the stages of pressure injury.

A pressure injury is defined as localized damage to the skin or underlying soft tissue, or both, usually over a bony prominence or related to a medical or other device. The injury can present as intact skin or an open ulcer and may be painful. The injury occurs as a result of intense or prolonged pressure, or both, or pressure in combination with shear. The tolerance of soft tissue for pressure and shear may also be affected by microclimate, nutrition, perfusion, comorbidities and condition of the soft tissue.

Final Guidance for Reporting Pressure Injuries

The Authority and Department achieved consensus on the following principles and decision tree for reporting pressure injury events. Some of these standards have been revised in response to feedback the Authority and the Department received during the public comment period. Descriptions of all comments received and responses to those comments are outlined in the next section.

1. Report all unanticipated pressure injuries, both those that are hospital-acquired and those that are present on admission and progress (worsen) during the hospitalization, as either Incidents or Serious Events.

a. Not reportable:

- 1) Deep tissue injuries present on admission
- 2) All pressure injuries present on admission that remain stable (that is, unchanged) or improve during hospitalization

b. Incidents:

- 1) All hospital-acquired pressure injuries that do not require additional health care services
- 2) All pressure injuries present on admission that progress during the hospitalization but do not require additional health care services

c. Serious Events:

- 1) All hospital-acquired pressure injuries that require additional health care services
- 2) All pressure injuries present on admission that progress or worsen during the hospitalization and require additional health care services

2. Report the deepest stage pressure injury when multiple pressure injuries are present.

Acute health care facilities should submit a single report that represents the deepest stage pressure injury for each patient with multiple pressure injuries, rather than submitting a report for each pressure injury.

3. Report changes (that is, worsening) in pressure injuries.

Whether a pressure injury was present on admission or was hospital-acquired, if the injury progresses or worsens during hospitalization, acute health care facilities should report a Serious Event or Incident based on the deepest stage of any pressure injuries that progress.

4. Report medical device-related pressure injuries as either Incidents or Serious Events.

Medical device-related pressure injuries may result from devices used for diagnostic or therapeutic purposes. The resultant pressure injury generally conforms to the pattern or shape of the device. These injuries should be

staged using the staging system described by NPUAP and reported as either Incidents or Serious Events.

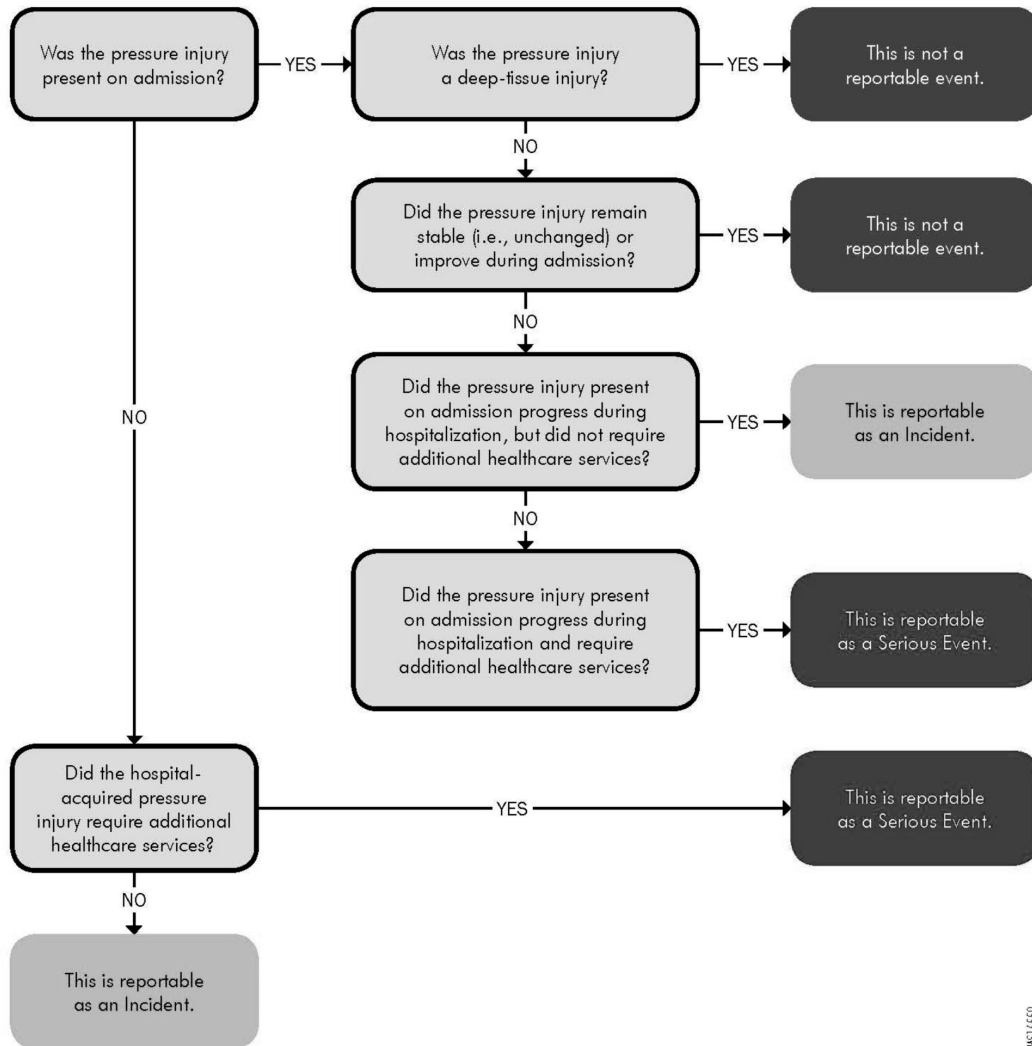
5. Report mucosal ulcers as Incidents or Serious Events.

Mucosal membrane pressure injuries are found on mucous membranes (for example, oral cavity and nares). These injuries cannot be staged in the same manner as other pressure injuries but should be reported as either Incidents or Serious Events.

Decision Tree for Reporting Pressure Injuries

The following decision tree is provided to support decision making for reporting pressure injuries that meet the statutory definitions of Incidents or Serious Events as defined under the MCARE Act

Decision Tree for Reporting Pressure Injuries



MCS16559

Responses to Comments on Draft Guidance on Reporting Standards

Fifteen organizations submitted comments or questions to the Authority in response to the Draft Guidance Document during the 30-day public comment period October 1 through October 30, 2016. Of the 15 comments received, 19 questions/suggestions were identified. Responses to these questions were drafted by the Authority and Department and follow. Note that the reporting guidelines should be used to help facilities implement patient safety reporting requirements in this Commonwealth. They are not intended to guide clinical diagnosis or treatment options.

1. The Authority received seven comments requesting clarification of additional health care services, including the meaning of “first-aid care” with respect to specific and nonspecific instances of pressure injuries.

Response: For reporting, additional health care services do not include services that could be provided by someone other than a licensed health care professional. Services that could be provided by someone other than a licensed health care practitioner outside the clinical setting—essentially, first-aid care—do not constitute additional health care services. The provision of professional services requires both knowledge and skill, and licensure ensures that the provision of some services is restricted to certain individuals who have demonstrated the required knowledge and skill. This definition encompasses a broad spectrum of services that should be individualized to each patient and each pressure injury. There is no “one size fits all” approach to defining the actual services that might be included in the definition. Each service provided by the facility must be evaluated independently against the definition to determine whether it meets the definition. For example, enzymatic debridement may be considered an additional health care service because it requires the prescription of a licensed health care professional. Repositioning, on the other hand, may be considered basic care that could be provided by someone other than a licensed health care professional. However, even repositioning could be considered an additional health care service when provided to a critically ill patient who cannot maintain oxygen saturation when repositioned on his left side and subsequently requires assessment by an experienced licensed professional to choose an alternative position.

2. The Authority received a single comment inquiring whether transferring to an outpatient service qualifies as additional health care services.

Response: Additional health care services constitute therapeutic care that can be provided only by a licensed professional health care worker. The facility is responsible for any services it provides, including any services provided on a contract basis. For example, if a patient is transferred to an outpatient wound clinic for services the hospital cannot provide during his admission, the facility is responsible for those services for which it has contracted and must evaluate those services for reporting requirements. Services, such as home care, that the patient receives outside of the admission to the reporter’s facility would not be included in the determination of additional health care services. However, contracted services the facility is unable to provide directly during the patient’s admission would be considered in this determination.

3. The Authority received a single comment inquiring whether changes in treatment from home care to acute care qualifies as additional health care services.

Response: If a patient has a pressure injury that is present on admission and that requires continued treatment in the acute care setting, this is not a reportable event if the pressure injury remains stable or improves. If the pressure injury progresses (that is, worsens) during hospitalization, the event is reportable, depending on whether additional health care services are required to treat the wound’s progression.

4. The Authority received a single comment inquiring whether home care for dressing changes qualifies as additional health care services.

Response: Additional healthcare services are associated with an event, occurrence or situation involving the clinical care of a patient in a medical facility. Services such as home care, which the patient receives outside of a medical facility, would not be included in the determination of additional health care services. However, if the pressure injury is hospital-acquired, the event is reportable during the patient’s hospital admission, depending on whether additional health care services are required to treat the injury. In the event the facility contracts with services outside the facility because it is unable to provide treatment of the pressure injury during the patient’s admission, the contracted services would meet the definition of additional health care services.

5. The Authority received a single comment inquiring whether consultation with a WOCN or specialist for pressure injuries that are present on admission or hospital-acquired qualify as additional health care services.

Response: A wound care consultation in and of itself may not constitute additional health care services, because the services provided may not constitute additional health care services in all situations. Rather, the determination depends on the treatment recommended by the professional. For example, facilities may order consultations on all patients with low Braden scores,¹ and this service would be considered preventive care rather than additional health care services.

6. The Authority received seven comments inquiring whether preventive care (for example, use of alternate bed surfaces and topical ointments) qualify as additional health care services. The Final Guidance for Acute Health care Facility Determinations of Reporting Requirements under MCARE Act indicates that health care services provided to prevent an injury are excluded from this term for the purpose of Serious Event determinations.

Response: Care provided to prevent injuries does not meet the Serious Event determination.

7. The Authority received a single comment inquiring whether pressure injuries that develop in patients who refuse preventive care are reportable.

Response: Although a health care professional is trained to know that some patients will have an increased risk of pressure injury development due to their clinical condition or refusal of interventions, this knowledge may not be anticipated by the patient, and event reporting in this Commonwealth does not depend on the patient’s ability or willingness to participate in care. The unanticipated nature of an injury is from the perspective of a reasonably prudent patient, and an unanticipated injury requiring additional health care services would be reportable as a Serious Event. Complications and injuries from clinical care may be considered anticipated (that is,

¹ The Braden Scale for Predicting Pressure Sore Risk®, <http://www.bradenscale.com/>, cited February 1, 2017.

not reportable as a Serious Event) when they occur frequently or the risk of the complication is considered high for a particular patient and the high probability of this complication was: (1) disclosed to the patient or the patient's representative, or both; and (2) documented in the medical record, including the patient's understanding and the probable location of the pressure injury that is expected to develop if preventive measures are not implemented.

8. The Authority received a single comment expressing concern that individual patient risk factors and patient/family education provided before pressure-injury development are not taken into account in the draft guidance document.

Response: The guidance takes into account individual factors by requiring each patient, each pressure injury and each health care service to be evaluated to determine whether an event is reportable. The definition of additional health care services alone encompasses a broad spectrum of services that does not provide a "one size fits all" approach to defining the actual services that would be required for any single patient. Each service provided by the facility must be evaluated independently against the definition to determine whether it meets the definition. The unanticipated nature of an injury is from the perspective of a reasonably prudent patient, and an unanticipated injury requiring additional health care services would be reportable as a Serious Event.

9. The Authority received seven comments that requested clarification of reporting requirements for pressure injuries that are: (1) present on admission (that is, transferred to a hospital with existing pressure injuries) and progress during hospitalization; and (2) hospital-acquired that progress during hospitalization. These facilities contend that pressure injuries present on admission that do not arise from clinical care of the patient at the admitting facility do not meet the definition of a Serious Event.

Response: A pressure injury that is present on admission and remains stable throughout admission is not reportable. A pressure injury present on admission that progresses and involves the clinical care of a patient in a facility and results in a situation that could further injure the patient, requiring additional health care services, is reportable as either an Incident or Serious Event. The concepts of human error and preventability are not included in the Final Guidance for Acute Healthcare Facility Determinations of Reporting Requirements under MCARE Act. It is not necessary for an error to have occurred, or for harm to be preventable, for an event to be considered reportable. The requirement for reporting an event, situation or occurrence in this Commonwealth is based on the actual or potential injury to the patient, not the relationship of the actual or potential event to the facility's culpability. A pressure injury present on admission that worsens has a direct effect on the patient regardless of the role of the admitting facility. The progression (worsening) of a present-on-admission or a hospital-acquired pressure injury should be reported as an Incident or Serious Event because the worsening is an occurrence involving the clinical care of a patient in a facility. Although the worsening of the injury and the need for additional health care services may be anticipated by the provider, it may not be anticipated by the patient. The unanticipated nature of an injury is applied from the perspective of a reasonably prudent patient.

10. The Authority received a single comment requesting that the term "worsening" be clarified as it relates to pressure injuries reporting.

Response: Any skin changes in a patient should be evaluated by a licensed professional health care worker who possesses the required knowledge and skill to determine whether a pressure injury has changed for the worse. These changes will be individualized for each patient and each injury, and there is no "one size fits all" definition of worsening. Additionally, reporting in this Commonwealth is not based on the NPUAP staging system, so the worsening, or progression, of an injury will not necessarily be tied to the stage.

Although all of the individual situations that would require clinical judgement cannot be anticipated, an example might be a patient who is admitted with a stage 2 pressure injury that later progresses to stage 4 and requires mechanical debridement—this would be considered as worsening and is reportable as a Serious Event. Additionally, a stage 4 pressure injury present on admission that later becomes infected also demonstrates injury progression, or worsening, and is reportable.

11. The Authority received two comments expressing concern about reporting stage 2 pressure injuries as Serious Events and that these events are inconsistent with NPUAP, Centers for Medicare & Medicaid Services (CMS) and the Agency for Healthcare Research and Quality classifications. These comments suggest that Serious Events should be limited to full-thickness wounds that require interventions beyond a dressing.

Response: The requirement for reporting an event, situation or occurrence in this Commonwealth is based on the actual or potential injury to the patient. The pressure injury staging system developed by NPUAP is a clinical tool designed specifically for identifying and classifying pressure injuries according to the amount of tissue loss only. The NPUAP defines all stages as an injury. The reporting of any event, situation or occurrence involving the clinical care of a patient in this Commonwealth, including pressure injuries, is based on the event definitions provided in the MCARE Act, not on pressure injury stage. Therefore, pressure injury staging alone cannot be used to report patient safety events in this Commonwealth. The Commonwealth reporting requirements are internally consistent by treating pressure injuries like any other situation, event or occurrence requiring reporting. Patient safety event reporting in this Commonwealth was designed to be nonpunitive and does not include the concepts of preventability. Human error does not have to be present, and an injury does not have to be preventable, to meet the definitions of a reportable event.

Section 304(a)(7) of the MCARE Act (40 P.S. § 1303.304(a)(7)) specifies that the Authority and the Department collect Serious Event and Incident reports to issue recommendations to medical facilities on a facility-specific or Statewide basis regarding changes, trends and improvements in health care practices and procedures, to reduce the number and severity of Serious Events and Incidents. Because patient safety reporting in this Commonwealth was designed to be nonpunitive, it may or may not align with the reporting requirements of other agencies, such as CMS. CMS has adopted the NPUAP staging system to classify preventable events for reimbursement and payment.

12. The Authority received five comments concerned about reporting deep tissue injury (DTI) present on admission and recommended exclusion from reporting.

Response: NPUAP defines a DTI as “a pressure related injury to subcutaneous tissue under intact skin. . .these lesions may herald the subsequent development of a Stage III-IV pressure injury even with optimal treatment.” A DTI present on admission is not reportable because the injury already existed even though it was invisible under intact skin. When the injury declares itself naturally, it is still considered “stable” because the injury was present but not visible. However, any changes to the injury after it declares itself, such as an infection or stage progression, would meet the definition of an Incident or Serious Event and is reportable.

Facilities are not required to report events that occurred in another health care setting, and staff who discover that an event occurred in another facility are strongly encouraged to notify the other facility. Although an injury may have originated in another facility, any situations, events or occurrences involving the clinical care of a patient while in the reporter’s facility should be evaluated to determine whether it meets the definition of an Incident or Serious Event.

13. The Authority received six comments about reporting pressure injuries in critically or terminally ill patients (for example, use of medical devices required to sustain life and extracorporeal life support) and requested that these be excluded from reporting because most patients on life-saving devices are critically ill and compromised and are at higher risk for developing pressure injuries.

Response: The concept of preventability is not included in the Final Guidance for Acute Healthcare Facility Determinations of Reporting Requirements under MCARE Act. It is not necessary for harm or for the precise cause of an event to be known to constitute a reportable event. The requirement for reporting an event, situation or occurrence in this Commonwealth is based on the actual or potential injury to the patient, not the relationship of the actual or potential event to the facility’s culpability. The event definitions for an Incident and Serious Event require the event, occurrence or situation to “involve the clinical care of a patient” not specifically to be caused by the clinical care provided by the facility. Although a health care professional is trained to know that a hemodynamically unstable or critically ill patient will have an increased risk of pressure injury development, this does not imply that the patient would anticipate the injury. The unanticipated nature of an injury is applied from the perspective of a reasonably prudent patient. An occurrence or situation does not have to include error or be preventable for an unanticipated injury to constitute a Serious Event. An unanticipated injury requiring additional health care services would not be excluded from reporting because a patient is actively dying. Any skin changes in a patient require evaluation by a licensed professional health care worker who possesses the required knowledge and skill to determine whether a skin change is a pressure injury. A pressure injury that develops in a dying patient may be an unanticipated injury from the patient’s perspective and would require additional health care services, which is reportable as a Serious Event. Complications and injuries from clinical care may be considered anticipated (that is, not reportable as a Serious Event) when they occur frequently or the risk of the complication is considered high for a particular patient and the high probability of this complication was: (1) disclosed to the patient or the patient’s representative, or both; and (2) documented in the medical record, including the patient’s understanding and the probable location of the pressure injury that is expected to develop.

14. The Authority received a single comment suggesting that DTI and unstageable pressure injuries be excluded from reporting, because WOCNs or physicians are unable to stage pressure injuries until evidence presents more accurate staging of the injury.

Response: The reporting of any event, situation or occurrence involving the clinical care of a patient in this Commonwealth, including pressure injuries, is based on the event definitions provided in the MCARE Act, not on pressure injury staging. A DTI present on admission is not reportable because the injury has already occurred even though it may be invisible under intact skin. When the injury declares itself naturally, it is still considered “stable” because the injury was present but not visible. However, any changes to the injury after it declares itself, such as an infection or stage progression, would meet the definition of an Incident or Serious Event and is reportable. An unstageable pressure injury is full-thickness skin and tissue loss in which the extent of damage is not visible because the wound bed is obscured by slough or eschar. According to the pressure injury algorithm, an unstageable pressure injury present on admission would not be reportable if it remains stable or improves. An unstageable pressure injury that develops or progresses during admission is reportable as a Serious Event.

15. The Authority received a single comment suggesting mucosal injuries be excluded from reporting because WOCNs or physicians are unable to stage pressure injuries until evidence presents more accurate staging of the injury.

Response: The reporting of any event, situation or occurrence involving the clinical care of a patient in this Commonwealth, including pressure injuries, is based on the event definitions provided in the MCARE Act, not on pressure injury stage. Mucosal pressure injuries are found on mucous membranes with a history of a medical device in place at the location of the injury. A mucosal injury is an unanticipated injury from the patient’s perspective and may require additional health care services, which would meet the definition of an Incident or Serious Event and is reportable.

16. The Authority received a single comment concerned that determining whether to report a pressure injury as a Serious Event or Incident would detract from care to prevent and heal wounds.

Response: The purpose of collecting reports is to analyze and disseminate the information to facilities to improve patient safety in this Commonwealth. Reporting pressure injuries in PA-PSRS provides data that the Authority can trend over time and helps hospitals assess the effectiveness of quality improvement efforts. A detailed analysis of pressure injuries is currently limited by a lack of information collected through PA-PSRS. This Final Guidance for Acute Health Care Facility Determinations of Reporting Requirements for Pressure Injuries is intended to address this issue. The Authority’s patient safety liaisons can assist facilities’ patient safety officers (section 309 of the MCARE Act (40 P.S. § 1303.309)) with reporting determinations.

17. The Authority received a single comment requesting clarification on reporting pressure injuries when patients with pressure injuries are received from other facilities. The Draft Guidance for Acute Health Care Facility Determinations of Reporting Requirements for

Pressure Injuries is in direct conflict with the Final Guidance for Acute Healthcare Facility Determinations of Reporting Requirements under MCARE Act (that is, it is not necessary to report a Serious Events that occurred in another health care setting); it also conflicts with CMS' requirement and does not account for the NPUAP position. Submission of a letter (to the patient) may be perceived as suboptimal care and may increase malpractice risk.

Response: Following the pressure injury algorithm, a pressure injury present on admission would not be reportable if it remains stable or improves during the admission. Pressure injuries that are present on admission only become reportable if changes to the injury cause actual or potential injury to the patient, requiring additional health care services. These changes involve the clinical care of a patient and are reportable.

The intent of the MCARE Act is for nonpunitive patient safety reporting in this Commonwealth. Section 304(a)(7) of the MCARE Act specifies that the Authority and the Department collect Serious Event and Incident reports to issue recommendations to medical facilities on a facility-specific or Statewide basis regarding changes, trends and improvements in health care practices and procedures, to reduce the number and severity of Serious Events and Incidents. Punitive actions are written into section 313(f) of the MCARE Act (40 P.S. § 1303.313(f)) only for failure to report a Serious Event or Infrastructure Failure or failure to notify a patient of a Serious Event. Section 308(b) of the MCARE Act (40 P.S. § 1303.308(b)) specifically states that notifications to the patient of a Serious Event do not constitute an acknowledgment or admission of liability. Refer to response No. 11 about inconsistency of reporting.

18. The Authority received a single comment requesting clarification of when to report progression of the pressure injury (that is, at the time of discharge or at the time it is identified during hospitalization).

Response: The requirements for reporting an event are based on the actual or potential harm to the patient and not based on the pressure injury stage. The time frame for reporting an event depends on whether the event meets the definition of Incident or Serious Event. A Serious Event must be reported within 24 hours of confirmation. An Incident is reportable to the Authority within 90 days. A pressure injury identified as a Serious Event would be reported at the time it is identified and not held until discharge. The determination of whether a pressure injury is reportable as a Serious Event is not based on the stage of the injury alone.

19. The Authority received a single comment suggesting that facilities be given more than 24 hours for a wound care expert to determine whether a pressure injury meets the definition of a Serious Event.

Response: Any skin changes in a patient should be evaluated by a licensed professional health care worker who possesses the required knowledge and skill to determine whether a skin change is a pressure injury. A facility should use its usual process in the determination of Incidents or Serious Events. Serious Event reports must be submitted within 24 hours of confirmation. It is expected that confirmation should occur as close to the event as possible. Incident reports are received by the

Authority and should be reported in a timely manner. The Authority's expectation is that all Incidents be reported within 90 days of occurrence.

REGINA M. HOFFMAN, RN, BSN, MBA, CPPS,
Executive Director
Patient Safety Authority

KAREN M. MURPHY, PhD, RN,
Secretary
Department of Health

[Pa.B. Doc. No. 17-599. Filed for public inspection April 7, 2017, 9:00 a.m.]

Public Meeting

The Patient Safety Authority (Authority), established by section 303 of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P.S. § 1303.303), announces a meeting of the Authority's Board to be held at the Conference Center, Central Penn College, 600 Valley Road, Summerdale, PA 17093 at 10 a.m. on Thursday, April 20, 2017.

Individuals with questions regarding this meeting, which is open to the public, should contact the Authority at (717) 346-0469.

REGINA M. HOFFMAN, RN, BSN, MBA, CPPS,
Executive Director

[Pa.B. Doc. No. 17-600. Filed for public inspection April 7, 2017, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

General Rule Transaction

A-2017-2595566, A-2017-2595651, S-2017-2595653 and S-2017-2595654. Trumansburg Telephone Company, Inc., Ontario Telephone Company, Inc., Finger Lakes Technologies Group, Inc., TVC Albany, Inc. and ION Holdco, LLC. Joint application of Trumansburg Telephone Company, Inc., Ontario Telephone Company, Inc., Finger Lakes Technologies Group, Inc., TVC Albany, Inc. and ION Holdco, LLC for approval of a general rule transaction involving a transfer of control of a telecommunications public utility and the registration of related abbreviated securities certificates.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before April 24, 2017. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at www.puc.pa.gov and at the applicant's business address.

Applicants: Trumansburg Telephone Company, Inc.; Ontario Telephone Company, Inc.; Finger Lakes Technologies Group, Inc.; TVC Albany, Inc.; ION Holdco, LLC

Through and By Counsel: Charles E. Thomas, III, Esquire, Charles E. Thomas, Jr., Esquire, Thomas, Niesen & Thomas, LLC, 212 Locust Street, Suite 600, Harrisburg, PA 17101

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 17-601. Filed for public inspection April 7, 2017, 9:00 a.m.]

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by April 24, 2017. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Applications of the following for the approval of the right and privilege to *discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under each application.*

A-2017-2593076. Myers Coach Lines, Inc. (2001 Ball Park Road, Export, Westmoreland County, PA 15632) discontinuance of service and cancellation of its certificate, to transport, as a common carrier, persons on schedule, between the City of Pittsburgh, Allegheny County, and the City of Butler, Butler County, as more thoroughly described in the original ordering paragraph at A-00116476, F.2. *Attorney:* William Gray, 310 Grant Street, Suite 2310, Pittsburgh, PA 15219-2383.

A-2017-2594759. TJS Enterprises, LLC (311 North Franklin Street, Titusville, Crawford County, PA 16354) for the discontinuance of service and cancellation of the certificate as a common carrier, by motor vehicle, persons upon call or demand, in Allegheny Township, Cherrytree Township, Oilcreek Township, Pleasantville Borough, Centerville Borough, Hydetown Borough, Oil Creek Township, Rome Township and Titusville City, all in Crawford County, and in Southwest Township, Warren County.

A-2017-2595169. Armani's Limousine Service, LLC (185 Unionville Road, Jim Thorpe, PA 18229) for the discontinuance of service and cancellation of its certificate, as a common carrier, by motor vehicle, authorizing the transportation of persons, in limousine service, from points in the Counties of Berks, Carbon, Lackawanna, Lancaster, Lebanon, Lehigh, Luzerne, Monroe, Northampton, Philadelphia and Schuylkill.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 17-602. Filed for public inspection April 7, 2017, 9:00 a.m.]

Service of Notice of Motor Carrier Formal Complaints

Formal Complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Answers are due April 24, 2017, and must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. JT's Hotshots, LLC; Docket No. C-2017-2590812

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to JT's Hotshots, LLC, (respondent) is under suspension effective January 27, 2017 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 1327 Cemetery Street, Jersey Shore, PA 17740.
3. That respondent was issued a Certificate of Public Convenience by this Commission on September 26, 2013, at A-8915915.
4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.
5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8915915 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 3/7/2017

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 17-603. Filed for public inspection April 7, 2017, 9:00 a.m.]

Telecommunications

A-2017-2595219. The United Telephone Company of Pennsylvania, LLC d/b/a CenturyLink and Neutral Tandem-Pennsylvania, LLC. Joint petition of The United Telephone Company of Pennsylvania, LLC d/b/a CenturyLink and Neutral Tandem-Pennsylvania, LLC for approval of the carrier partner for interconnected VoIP provider amendment to the interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

The United Telephone Company of Pennsylvania, LLC d/b/a CenturyLink and Neutral Tandem-Pennsylvania, LLC, by their counsel, filed on March 24, 2017, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of the carrier partner for interconnected VoIP provider amendment to the interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA

17105-3265. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of The United Telephone Company of Pennsylvania, LLC d/b/a CenturyLink and Neutral Tandem-Pennsylvania, LLC joint petition are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, at the Commission's web site at www.puc.pa.gov and at the applicant's business address.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 17-604. Filed for public inspection April 7, 2017, 9:00 a.m.]

Transfer by Sale

A-2017-2595833. PECO Energy Company. Application of PECO Energy Company for approval of the transfer by sale to New Britain Borough of street lighting facilities located in New Britain Borough, Bucks County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before April 24, 2017. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at www.puc.pa.gov and at the applicant's business address.

Applicant: PECO Energy Company

Through and By Counsel: Michael S. Swerling, Esquire, Assistant General Counsel, 2301 Market Street, S23-1, P.O. Box 8699, Philadelphia, PA 19101-8699

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 17-605. Filed for public inspection April 7, 2017, 9:00 a.m.]

Transfer by Sale

A-2017-2595840. PECO Energy Company. Application of PECO Energy Company for approval of the transfer by sale to New Britain Township of street lighting facilities located in New Britain Township, Bucks County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before April 24, 2017. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at www.puc.pa.gov and at the applicant's business address.

Applicant: PECO Energy Company

Through and By Counsel: Michael S. Swerling, Esquire, Assistant General Counsel, 2301 Market Street, S23-1, P.O. Box 8699, Philadelphia, PA 19101-8699

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 17-606. Filed for public inspection April 7, 2017, 9:00 a.m.]

PHILADELPHIA PARKING AUTHORITY

Request for Bids

The Philadelphia Parking Authority will be releasing Bid No. 17-05, Install Helix Fencing at Philadelphia International Airport, on Friday, April 7, 2017. Information and important dates for this solicitation can be obtained from the web site www.philapark.org or by calling Mary Wheeler, Manager of Contract Administration, at (215) 683-9665.

CLARENA TOLSON,
Executive Director

[Pa.B. Doc. No. 17-607. Filed for public inspection April 7, 2017, 9:00 a.m.]

Request for Information

The Philadelphia Parking Authority will be releasing a request for information No. 17-02, Multi Space Electronic Parking Meters, on Friday, April 7, 2017. Information and important dates for this solicitation can be obtained from the web site www.philapark.org or by calling Mary Wheeler, Manager of Contract Administration, at (215) 683-9665.

CLARENA TOLSON,
Executive Director

[Pa.B. Doc. No. 17-608. Filed for public inspection April 7, 2017, 9:00 a.m.]

Request for Information

The Philadelphia Parking Authority will be releasing a request for information No. 17-11, Parking Guidance System at Philadelphia International Airport, on Friday, April 7, 2017. Information and important dates for this solicitation can be obtained from the web site www.philapark.org or by calling Mary Wheeler, Manager of Contract Administration, at (215) 683-9665.

CLARENA TOLSON,
Executive Director

[Pa.B. Doc. No. 17-609. Filed for public inspection April 7, 2017, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Proposals

The Philadelphia Regional Port Authority will accept sealed proposals for Project No. 17-035.S, RFP for Architectural Services for the Port Administration Building, until 2 p.m. on Friday, May 5, 2017. Information (including mandatory preproposal information) can be obtained from www.philaport.com under "Our Port," then "Procurement" or call (215) 426-2600.

JEFF THEOBALD,
Executive Director

[Pa.B. Doc. No. 17-610. Filed for public inspection April 7, 2017, 9:00 a.m.]

STATE BOARD OF NURSING

Bureau of Professional and Occupational Affairs v. Jennifer Lynn Dimoff, RN; Doc. No. 0756-51-14; File No. 14-51-07084

On February 3, 2017, Jennifer Lynn Dimoff, RN, Pennsylvania license No. RN579598, last known of Hermitage, Mercer County, was indefinitely suspended and assessed a \$500 civil penalty based on disciplinary action taken by another state and failure to report same to the State Board of Nursing.

Individuals may obtain a copy of the automatic suspension by writing to Megan E. Castor, Board Counsel, State Board of Nursing, P.O. Box 69523, Harrisburg, PA 17106-9523.

LINDA L. KMETZ, PhD, RN,
Chairperson

[Pa.B. Doc. No. 17-611. Filed for public inspection April 7, 2017, 9:00 a.m.]

Bureau of Professional and Occupational Affairs v. Lindsey L. Fluck, LPN; Doc. No. 1464-51-15; File No. 13-51-08245

On February 8, 2017, Lindsey L. Fluck, LPN, Pennsylvania license No. PN264831, last known of Perkasio, Bucks County, was suspended, for no less than 2 years, and assessed a \$1,000 civil penalty based on having committed fraud and deceit in the practice of practical nursing or in securing her admission to the practice, her having plead guilty to a felony or crime of moral turpitude and having been convicted of a felony.

Individuals may obtain a copy of the automatic suspension by writing to Megan E. Castor, Board Counsel, State Board of Nursing, P.O. Box 69523, Harrisburg, PA 17106-9523.

LINDA L. KMETZ, PhD, RN,
Chairperson

[Pa.B. Doc. No. 17-612. Filed for public inspection April 7, 2017, 9:00 a.m.]

