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Part I

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The Courts
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Department of Education
Department of Environmental Protection
Department of Health
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Housing Finance Agency
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Pennsylvania Public Utility Commission
State Charter School Appeal Board
Thaddeus Stevens College of Technology
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 **50TH**
ANNIVERSARY
ISSUE

See Part II page 3371
for the Subject Index for
January—June 2020



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

No. 548, July 2020

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

Pennsylvania Bulletin

The *Pennsylvania Bulletin* is the official gazette of the Commonwealth of Pennsylvania. It is published weekly. A cumulative subject matter index is published quarterly.

The *Pennsylvania Bulletin* serves several purposes. It is the temporary supplement to the *Pennsylvania Code*, which is the official codification of agency rules and regulations, Statewide court rules, and other statutorily authorized documents. Changes in the codified text, whether by adoption, amendment, rescission, repeal or emergency action, must be published in the *Pennsylvania Bulletin*.

The following documents are published in the *Pennsylvania Bulletin*: Governor's Executive Orders; 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 rescind regulations must first publish in the *Pennsylvania Bulletin* a Proposed Rulemaking. There are limited instances when the agency may omit the proposal step; it still must publish the adopted version.

The 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. A Final Rulemaking must be published in the *Pennsylvania Bulletin* before the changes can take effect. If the agency wishes to adopt changes to the 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, Statewide court rules and other statutorily authorized documents. The *Pennsylvania Bulletin* is the temporary supplement to the *Pennsylvania Code*, printing changes when they are adopted. 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.

How to Find Rules and Regulations

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

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.

A quarterly List of *Pennsylvania Code* Sections Affected 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.pacodeandbulletin.gov.

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Printing Format

Rules, Regulations and Statements of Policy in Titles 1—107 of the Pennsylvania Code

Text proposed to be added is printed in **underscored bold face**. Text proposed to be deleted is enclosed in brackets [] and printed in **bold face**.

Proposed new chapters and sections are printed in regular type to enhance readability. Final rulemakings and statements of policy are printed in regular type.

Ellipses, a series of five asterisks, indicate text that is not amended.

In Proposed Rulemakings and proposed Statements of Policy, existing text corresponds to the official codified text in the *Pennsylvania Code*.

Court Rules in Titles 201—246 of the Pennsylvania Code

Added text in proposed and adopted court rules is printed in **underscored bold face**. Deleted text in proposed and adopted court rules is enclosed in brackets [] and printed in **bold face**.

Proposed new chapters and rules are printed in regular type to enhance readability.

Ellipses, a series of five asterisks, indicate text that is not amended.

Fiscal Notes

Section 612 of The Administrative Code of 1929 (71 P. S. § 232) requires the Governor's Budget Office to prepare a fiscal note for regulatory actions and administrative procedures of the administrative departments, boards, commissions and authorities receiving money from the State Treasury. The fiscal note states whether the action or procedure causes a loss of revenue or an increase in the cost of programs for the Commonwealth or its political subdivisions. The fiscal note is required to be published in the *Pennsylvania Bulletin* at the same time as the 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; and (8) recommendation, if any, of the Secretary of the Budget and the reasons therefor.

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, 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 item (8) the recommendation, if any, made by the Secretary of the Budget is published with the fiscal note. "No fiscal impact" means no additional cost or revenue loss to the Commonwealth or its local political subdivision is intended. See 4 Pa. Code Chapter 7, Subchapter R (relating to fiscal notes).

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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 2020.

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7	3200

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7 Pa. Code (Agriculture)

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25 Pa. Code (Environmental Protection)

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34 Pa. Code (Labor and Industry)

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210 Pa. Code (Appellate Procedure)

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231 Pa. Code (Rules of Civil Procedure)

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252 Pa. Code (Allegheny County Rules)

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Unclassified 199, 200, 667, 790, 904, 912, 913,
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 1648, 1827, 1829, 2014, 2018, 2019, 2736, 2925, 3011,
 3106, 3308

THE GOVERNOR

Title 4—ADMINISTRATION

PART I. GOVERNOR'S OFFICE

[4 PA. CODE CH. 7]

[EXECUTIVE ORDER NO. 2020-03]

Judicial Advisory Commission

June 17, 2020

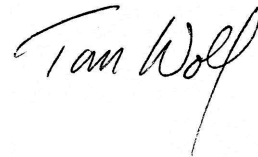
Whereas, the Governor is empowered by Article V, Section 13 of the Constitution of Pennsylvania to appoint qualified persons to serve as justices and judges of the courts of the Commonwealth of Pennsylvania when vacancies on those courts occur; and

Whereas, it is in the interests of the Commonwealth that the Governor expeditiously exercise his constitutional authority to appoint qualified persons to serve on these courts; and

Whereas, the General Counsel of Pennsylvania serves as the chief legal advisor to the Governor and will serve as the principal advisor to the Governor in the exercise of his constitutional authority to appoint qualified persons to the courts of the Commonwealth; and

Whereas, the identification of qualified persons to serve on the courts of the Commonwealth can most effectively and expeditiously be accomplished through the Office of General Counsel with the assistance of a group of citizens selected by the Governor who reside or practice law within the Commonwealth.

Now, Therefore, I, Tom Wolf, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws, do hereby order and direct the following:



Governor

Fiscal Note: GOV-2020-03. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 4. ADMINISTRATION

PART I. GOVERNOR'S OFFICE

CHAPTER 7. ISCELLANEOUS PROVISIONS

Subchapter J. (Reserved)

§§ 7.111—7.113. (Reserved.)

Subchapter AAA. JUDICIAL ADVISORY COMMISSION

Sec.	
7.841.	Judicial Advisory Commission.
7.842.	Powers and duties.
7.843.	Procedures.
7.844.	Confidentiality.
7.845.	Composition.
7.846.	Terms of membership.
7.847.	Compensation and expenses.
7.848.	Restrictions.
7.849.	Duties of the Office of General Counsel.
7.850.	Effective date.
7.851.	Supersession.

§ 7.841. Judicial Advisory Commission.

There is hereby established a Judicial Advisory Commission that shall be an advisory commission appointed by the Governor to assist the General Counsel in identifying qualified applicants for consideration by the Governor for appointment to the courts of the Commonwealth.

§ 7.842. Powers and duties.

(a) The Judicial Advisory Commission (Commission) shall conduct interviews of applicants who have been determined to initially meet all requirements of qualification for appointment.

(b) The Commission shall evaluate the applicants and determine which are best qualified to serve in a judicial office.

(c) The Commission shall provide a report to the General Counsel that includes the names and summaries of qualifications of those applicants that the Commission has found qualified to hold judicial office and that a majority of the Commission recommends for appointment.

(d) The Commission shall not designate an applicant as qualified unless the applicant possesses all of the qualifications mandated by the Constitution and laws of the Commonwealth and possesses the personal qualifications of character, integrity, experience, competence and temperament necessary to qualify fully for the judiciary.

§ 7.843. Procedures.

The Judicial Advisory Commission may establish procedures as may be needed to effectively implement the powers and duties included in this subchapter and to ensure consistency and fairness in the application process.

§ 7.844. Confidentiality.

The Judicial Advisory Commission shall keep confidential their proceedings, recommendations and reports.

§ 7.845. Composition.

The Judicial Advisory Commission (Commission), unless otherwise provided by the Governor, shall consist of nine members who represent a diverse population within the Commonwealth, appointed as follows:

(1) The General Counsel or his designee shall serve as a member and chairperson of the Commission ex officio.

(2) Six members, appointed by the Governor, shall be members of the bar of the Supreme Court of Pennsylvania, in good standing, with experience practicing before the courts of the Commonwealth.

(3) Two members, appointed by the Governor, shall be citizens of the Commonwealth who are not lawyers.

(4) The Governor shall designate a member of the Commission as vice-chairperson to perform the duties of chair in the absence of the chairperson.

§ 7.846. Terms of membership.

(a) Members shall be appointed for terms of 1 year and shall continue to serve thereafter until their successors have been appointed. A member may be reappointed for one or more additional terms. All members serve at the pleasure of the Governor.

(b) Should a vacancy occur on the Judicial Advisory Commission, the Governor will appoint a successor; and the successor shall serve the remainder of the unexpired term.

§ 7.847. Compensation and expenses.

Members of the Judicial Advisory Commission shall not be compensated for their services but shall be entitled to reimbursement for expenses necessarily incurred in accordance with procedures established by the Office of General Counsel. See Chapter 40 (relating to travel and subsistence).

§ 7.848. Restrictions.

No member of the Judicial Advisory Commission may be considered for appointment to the court.

§ 7.849. Duties of the Office of General Counsel.

(1) The Office of General Counsel shall develop and announce a process for the acceptance of applications for recommendation for appointment to fill a judicial vacancy.

(2) The Office of General Counsel shall accept and consider applications for recommendation for appointment and perform an initial review of all applicants to determine whether they meet the minimum qualifications for appointment as required by the Constitution and the laws of the Commonwealth.

(3) The Office of General Counsel shall provide assistance and support as needed by the Judicial Advisory Commission (Commission) to carry out its functions effectively.

(4) The Office of General Counsel shall review the report of the Commission and recommend to the Governor the names of the applicants who, in the General Counsel's judgment, are qualified for appointments to fill judicial vacancies.

§ 7.850. Effective date.

This subchapter shall take effect immediately and shall remain in effect until amended or rescinded by the Governor.

§ 7.851. Supersession.

This subchapter supersedes Executive Orders 1995-1, 1987-11 and Revision 1, 1987-17, 1988-2 and Revisions 1 and 2.

[Pa.B. Doc. No. 20-842. Filed for public inspection July 2, 2020, 9:00 a.m.]

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THE GENERAL ASSEMBLY

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

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

Proposed 7th Edition Sentencing Guidelines, Amendment 6

The Pennsylvania Commission on Sentencing hereby publishes for public comment proposed Amendment 6 to the 7th Edition Sentencing Guidelines, 204 Pa. Code §§ 303.1—303.18. The proposed Amendment 6 is set forth in Annex A.

The 7th Edition Sentencing Guidelines, which the Commission adopted on September 13, 2012, apply to all offenses committed on or after the effective date of December 28, 2012. In response to legislation enacted since September 13, 2012, the Commission adopted the following amendments to the 7th Edition Sentencing Guidelines:

- Amendment 1 was adopted on June 6, 2013 and became effective September 27, 2013.
- Amendment 2 was adopted on June 5, 2014 and became effective September 26, 2014.
- Amendment 3 was adopted on June 4, 2015 and became effective September 25, 2015.
- Amendment 4 was adopted June 1, 2017 and became effective January 1, 2018. A Supplement to Amendment 4 of the 7th Edition Sentencing Guidelines was adopted on December 14, 2017 and became effective June 1, 2018.
- Amendment 5 was adopted June 13, 2019 and became effective January 1, 2020.

On June 4, 2020, the Commission approved for the purpose of public comment proposed Amendment 6 of the 7th Edition Sentencing Guidelines, primarily in response to Act 115 of 2019. This Act:

- 1) Repealed County Intermediate Punishment as a sentencing alternative, reassigned county intermediate punishment programs as restrictive conditions of probation, and required the Commission to address eligibility and appropriateness for restrictive conditions of probation;
- 2) Mandated the Commission to development recommendations for the intensity and duration of probation; and
- 3) Repealed State Intermediate Punishment as a sentencing alternative and created the State Drug Treatment Program under the authority of the Department of Corrections;

The proposed Amendment 6 addresses the General Assembly's mandated sentencing enhancement for sexual extortion when the victim is younger than age 18 or has an intellectual disability or if the offender is a position of authority over the victim (Act 100 of 2019). The proposed Amendment 6 includes changes in offense gravity scores for new and modified offenses.

In accordance with 42 Pa.C.S. § 2155, the Commission shall publish in the *Pennsylvania Bulletin* all proposed

sentencing guidelines and risk assessment instruments and hold public hearings not earlier than 30 days and not later than 60 days thereafter to afford an opportunity for the following persons and organizations to testify:

- (i) Pennsylvania District Attorneys Association
- (ii) Chiefs of Police Associations
- (iii) Fraternal Order of Police
- (iv) Public Defenders Organization
- (v) Law School faculty members
- (vi) Pennsylvania Parole Board
- (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 has scheduled the following public hearings, to be held using Zoom Webinar, and providing limited opportunities for on-site testimony consistent with COVID-19 social distancing safeguards:

Hearing I.

<i>Date:</i>	Tuesday, August 18, 2020
<i>Time:</i>	10:00 a.m.
<i>Zoom:</i>	Webinar Registration Link: https://bit.ly/PCSPUBSEN1
<i>Onsite Location:</i>	McKeesport Daily News Building, 409 Walnut Street, McKeesport, PA 15132

Hearing II.

<i>Date:</i>	Thursday, August 20, 2020
<i>Time:</i>	2:00 p.m.
<i>Zoom:</i>	Webinar Registration Link: https://bit.ly/PCSPUBSEN2
<i>Onsite Location:</i>	Pennsylvania Commission on Sentencing (Harrisburg Office), 530 Irvis Building, Capitol Complex, Harrisburg, PA 17120-2218

Those wishing to attend the public hearing and/or testify via Zoom Webinar may register at the link provided above. Those wishing to testify in person may register by contacting the Commission (Cathy Dittman—814-863-5729 or cwd2@psu.edu) to schedule a specific time for on-site testimony.

Persons or organizations wishing to testify are asked to register at least five business days prior to the hearing and to provide an electronic copy of any testimony. Written comments from persons or organizations not wishing to testify should be received by the Commission at least five business days before the last-scheduled public hearing. Forward all testimony and documents to Cathy Dittman (CWD2@PSU.EDU).

The Commission will evaluate the proposed Amendment 6 to the 7th Edition Sentencing Guidelines 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 Thursday, September 10, 2020.

All Commission meetings are open to the public. Any proposals adopted by the Commission will be submitted to the General Assembly for review by way of publication in the *Pennsylvania Bulletin*, and will become effective 90 days after publication unless rejected by concurrent resolution of the General Assembly.

REPRESENTATIVE TODD STEPHENS,
Chair

Commentary on Annex A

This Commentary provides selected highlights of the proposed Amendment 6 to the 7th Edition Sentencing Guidelines. The proposed Amendment 6 is set forth in Annex A.

Revisions to § 303.1—Sentencing guideline standards

Act 115 of 2019 repealed county intermediate punishment and state intermediate punishment as sentencing alternatives. In (b), revocation of these sentences is removed.

Modifications are made in (c)(2). Amendment 5 of the 7th Edition Sentencing Guidelines was effective January 1, 2020 and applied to all offenses committed on or after that date. If adopted, Amendment 6 will be effective January 1, 2021.

Revisions to § 303.2—Procedure for determining the guideline sentence

No changes.

Revisions to § 303.3—Offense gravity score (general)

Clarification in (a) and (b) that an offense gravity score is assigned based on the elements of the crime and classification of the crime. Additionally, an offense may be subcategorized and multiple and different offense gravity scores assigned to each based on additional factors.

In (f), a provision is added that an omnibus offense gravity score of 10 is applied for a felony 1 offense with a statutory maximum greater than 20 years. Clarification is provided for new offenses if they are added to existing subsection of statute or if they are a new subsection of statute.

If it is an existing subsection and the offense definition is modified, the existing offense gravity score is assigned. If the grade or statutory maximum is modified, the omnibus offense gravity score applies unless it would decrease or increase the existing offense gravity score.

For new subsections, the lowest offense gravity score applies. However, the highest offense gravity score may apply if grade or statutory maximum sentence is higher than the highest offense gravity score assigned in the section. Similarly, the lowest offense gravity score applies if the grade or statutory maximum sentence is lower than the lowest offense gravity score assigned in the section.

Revisions to § 303.4—Prior record score (categories)

No changes.

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

No changes.

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

No changes.

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

No changes.

Revisions to § 303.8—Prior record score (miscellaneous)

No changes.

Revisions to § 303.9—Guideline sentence recommendations (general)

Sentencing enhancements under § 303.9 are consolidated under § 303.10: Deadly Weapon (b), School and Youth (c), Criminal Gang (j), Third Degree Murder of Person Younger than Age 13 (k), Sexual Abuse of Children (l), Arson (m), Human Trafficking (n), and Domestic Violence (o).

The means by which the Commission addresses sentencing enhancements is added in (3). The Commission may assign an offense gravity score to a subcategorized offense. If a sentencing enhancement factor is present, it may call for the increase in offense gravity score or adjust the basic sentencing recommendation by adding months to the upper and lower limit to the standard range. An enhancement recommendation will not apply if it is an element of the offense or a sentencing factor used to subcategorize an offense.

In (d), language is added that mitigated and aggravated ranges may apply to both basic and enhanced recommendation ranges.

Act 115 of 2019 repealed county intermediate punishment as a sentencing alternative. County intermediate punishment programs are made restrictive conditions of probation. In (e), the statutory authority for confinement in a state or county facility and restrictive conditions of probation are addressed. The duration of restrictive conditions of probation should not exceed the suggested minimum months of confinement in the Sentencing Guidelines. An aggregate term of probation that includes restrictive conditions should not exceed 10 years per judicial proceeding.

Act 115 also requires the Commission to develop probation guidelines. The Sentencing Guidelines provide for restorative sanctions which include guilt without further penalty, economic sanctions and probation without restrictive conditions. Subsection (f) includes that definition and identifies the duration of probation. Non-restrictive probation duration is one or two years. The aggregate term of probation should not exceed five years per judicial proceeding.

Subsection (i) authorizes restrictive DUI probation conditions. Restrictive DUI probation conditions alone or in combination with confinement may satisfy mandatory provisions applied to 75 Pa.C.S. § 1543(b) (relating to driving while operating privilege is suspended or revoked), former 75 Pa.C.S. § 3731 (relating to driving under the influence of alcohol or controlled substance) or 75 Pa.C.S. § 3804 (relating to penalties) for a first, second or third offense under 75 Pa.C.S. Chapter 38 (relating to driving after imbibing alcohol or utilizing drugs).

Revisions to § 303.10—Guideline sentence recommendations (enhancements)

The sentencing enhancement information that was included in both § 303.9 and § 303.10 is consolidated in § 303.10: Deadly Weapon (a), School and Youth (b), Criminal Gang (c), Third Degree Murder of Person Younger than Age 13 (d), Sexual Abuse of Children (e), Arson (f), Human Trafficking (g), and Domestic Violence (h).

Language was added to the Domestic Violence Enhancement in (h). The existing enhancement states that the Court shall consider ordering the offender to pay the costs or fees associated with the treatment of the minor for exposure to domestic violence. The proposed language adds costs or fees associated with the assessment of the minor for the exposure.

The Commission may address sentencing enhancements through the assignment of an offense gravity score to a subcategorized offense. These offenses are included in the offense listing of the Sentencing Guidelines in § 303.15. Section (i) includes sentencing enhancements and any authority that are addressed through an offense gravity score assignment.

The Commission was directed to create a sentencing enhancement for sexual extortion (18 Pa.C.S. § 3133) when the victim is younger than age 18 years or has an intellectual disability or when the offender holds a position of trust, supervision, or disciplinary power over the victim base on legal, occupational, or professional status. The Commission increased the offenses with these enhancing factors by an increase in offense gravity score. The offenses and offense gravity score assignments are located in the Sentencing Guidelines § 303.15, and the Sexual Extortion Enhancement is included in the sentencing enhancement list in (i).

Public Comment Invited on Additional Enhancements

The Commission proposes the following enhancements related to pending legislation.

Causing or aiding suicide

House Bill 1827 (PN 3807), if enacted, would require the Commission to adopt a new sentencing enhancement for aiding or soliciting suicide as an independent offense (18 Pa.C.S. § 2505(b)) when the victim is younger than age 18 or has an intellectual disability. Aiding or soliciting suicide is graded F-2 if the offender's conduct causes the victim's suicide. If the offender's conduct results in an attempted suicide by the victim, the offense is graded as M-2.

The Commission proposes an increase of an offense gravity score by one point if the victim is younger than age 18 years or has an intellectual disability.

Sexual abuse of children

SB 1075 (PN 1630), if enacted, would require the Commission to add new provisions to an existing sentencing enhancement (42 Pa.C.S. § 9720.5).

Under the current sentencing enhancement, the Commission subcategorizes offenses under 18 Pa.C.S. § 6312 by age. A higher offense gravity score is assigned to offenses involving children younger than age 13 years or if there is a determination of prepubescence. Additionally, under this same enhancement, Sentencing Guidelines add months to the upper and lower limits of the standard sentencing range based on the number of photographs or images and/or nature or character of the abuse.

The Commission proposes an additional increase of one point in offense gravity score if the victim is younger than age 6 or if the offender is known to the victim.

Homicide by Vehicle or Aggravated Assault by Vehicle.

HB 37 (PN 3136), if enacted, would require the Commission to replace an existing sentencing enhancement with a new enhancement for homicide by vehicle (75 Pa.C.S. § 3732) and aggravated assault by vehicle (75 Pa.C.S. § 3732.1). The House Bill would repeal 75 Pa.C.S. § 3316 (relating to prohibiting text-based

communications) and replace it with 75 Pa.C.S. § 3318 (relating to prohibiting use of interactive wireless communication devices).

Under the existing sentencing enhancement for homicide by vehicle (75 Pa.C.S. § 3732) and for aggravated assault by vehicle (75 Pa.C.S. § 3732.1), the offense gravity is increased based on the presence of one or more of the following: conviction for driving under the influence and/or a violation of § 1501 (relating to drivers required to be licensed), § 1543 (relating to driving while operating privilege is suspended or revoked), § 3316 (relating to prohibiting text-based communications), § 3325 (relating to duty of a driver on approach of emergency vehicle), § 3326 (relating to active work zone), and/or § 3327 (relating to duty of driver in emergency response areas).

The Commission proposes replacing 75 Pa.C.S. § 3316 with 75 Pa.C.S. § 3318 for the enhancement involving the offenses of homicide by vehicle and aggravated assault by vehicle.

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

Act 115 of 2019 repealed county and state intermediate punishment as sentencing alternatives. These references were removed. County intermediate punishment programs are made restrictive conditions of probation. The Act created the State Drug Treatment Program under the authority of the Department of Corrections.

Subsection (a) was expanded. It explains that the Sentencing Guidelines provide a common starting point of a range of recommendations for the typical offender. It notes that while the Guidelines provide a retributive framework, other information assists the Court in the imposition of the type of sentencing alternative and duration. These include mandatory sentencing provisions, diagnostic classification of drug or alcohol dependency, and risk-needs-responsivity assessments. The Court may need to consider eligibility or ineligibility requirements for specific programs such as those operated by the Department of Corrections, county intermediate punishment programs as restrictive conditions of probation, and reentry programs.

Levels of the Sentencing Guidelines in (b) are streamlined. The section adds that the Court should consider the Guidelines and eligibility for probation with restrictive conditions and county reentry as well as an offender's appropriateness for Department of Correction programs such as State Motivational Boot Camp, State Drug Treatment Program, Recidivism Risk Reduction Incentive Program, and Short Sentence Parole.

Level 1 of the Guidelines recommends non-restrictive program and other non-confinement sanctions for offenders with less severe offenses and a Prior Record Score of 0. Level 2 targets non-violent offenders with less severe criminal history. It recommends both non-confinement and confinement in county facility. Level 3 targets more serious offenders with more serious criminal histories. It recommends confinement sentences but allows for county sentences, restrictive DUI probation, and treatment in lieu of incarceration for drug-dependent offenders. Level 4 targets very serious offenders with serious criminal histories. Confinement sentences are recommended and may be served in county facilities. Consideration of correctional programs for drug-dependent offenders is recommended as well as DUI restrictive probation to meet mandatory conditions as directed in statute. Level 5 targets violent offenders or those with major drug convictions. The sentencing recommendation is a state incarceration sentence. Consideration of state correctional and sentencing programs may be applicable.

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

Section 303.12 describes correctional and sentencing programs.

Act 115 of 2019 repealed county intermediate punishment as a sentencing alternative. County intermediate punishment programs are made restrictive conditions of probation. The purpose of county intermediate punishment programs as restrictive conditions of probation is to protect public safety while promoting efficiencies and economies in criminal justice resources. Specialized programs can be identified that will meet the demonstrated needs of offenders. Eligibility and identification of restrictive DUI probation that will meet mandatory minimum requirements are further addressed in (a). It also notes consideration of restrictive conditions of probation for offenders clinically diagnosed as drug or alcohol dependent and falling within Levels 3 and 4 of the Sentencing Guidelines.

The Act modified the process for determining eligibility for the State Motivational Boot Camp Program. The program remains under the authority of the Department of Corrections. The Courts determine if an offender is ineligible for the program on the Sentencing Guidelines Form. The Department continues to exercise discretion to place eligible offenders in the program. It is addressed in modifications in (b).

Act 115 of 2019 repealed state intermediate punishment as a sentencing alternative and created the State Drug Treatment Program under the authority of the Department of Corrections. The Courts and prosecutor have discretion to exclude an offender from eligibility and indicate such on the Sentencing Guidelines Form. Placement of eligible offenders is at the discretion of the Department. It is addressed in modifications in (c).

Subsection (d) is an addition and addresses Recidivism Risk Reduction Incentive Program. The program is designed to encourage eligible non-violent offenders to complete programming that will reduce future recidivism. The Court record eligibility on the Sentencing Guidelines Form and directs the Department of Corrections to calculate the RRR minimum.

Subsection (e) is an addition. Act 115 of 2019 created short sentence parole. Non-violent offenders meeting statutory criteria and with an aggregate minimum incarceration sentence of two years or less may be paroled by the Pennsylvania Parole Board at minimum sentence or at the RRR minimum sentence without requiring an interview.

Subsection (f) is an addition. It addresses county reentry programs in (1). Offenders sentenced to county incarceration may be paroled prior to minimum sentence if made eligible for a reentry program at the time of sentencing. The subsection also outlines state reentry supervision in (2). A period of 12 months reentry supervision will be imposed at the time of sentencing for an offender with an aggregate minimum sentence of four years or more. A period of parole during the same period is considered reentry supervision. A mandatory period of three years of probation will be imposed for certain sexual offenders as outlined in (3).

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

Unless prohibited by statute, the Court should consider the use of validated risk-needs-responsivity assessments to help guide decisions regarding the intensity and dura-

tion of community supervision. References to specific enhancements are removed. Rather, a mitigated range should not be less than the recommended sentencing enhancement range.

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

Technical changes are made to the outline structure in subsection (a). Subsection (a)(3) is clarified. Fines may be imposed as a condition of probation.

Under (c)(2), the county intermediate punishment reference is removed. Restitution may be imposed as a direct sentence and/or as a condition of probation.

Revisions to § 303.15—Offense listing

New or modified offenses:

18 Pa.C.S. §

2718 Strangulation

3011 Trafficking in individuals

3013 Patronizing a victim of sexual servitude

3132 Female mutilation

3133 Sexual extortion

23 Pa.C.S. §

6319 Failure to report or to refer suspected child abuse

34 Pa.C.S. §

2314 Trespass on private property while hunting

Technical changes:

18 Pa.C.S. §

3011 Trafficking in individuals

3012 Involuntary servitude

3013 Patronizing a victim of sexual servitude

3014 Unlawful conduct regarding documents

3015 Nonpayment of wages

3016 Obstruction of justice

Revisions to 303.16(a)—Basic Sentencing Matrix

The example offenses and omnibus offense gravity scores are removed from the matrix in order to improve readability. The omnibus offense gravity scores are noted in the footnotes.

Community service hours in lieu of fines are included in Levels 1 and 2. Probation recommendations are included in Level 2.

Footnotes are updated to reflect changes from Act 115 of 2019.

Revisions to 303.16(b)—Sentencing Matrix for Offenders Convicted of 1st or 2nd Degree Murder

No changes.

Revisions to 303.17—Deadly Weapon Enhancement Matrices

No changes.

Revisions to 303.18—School and Youth Enhancement Matrices

Act 115 of 2019 repealed county intermediate punishment as a sentencing alternative. County intermediate punishment programs are restrictive conditions of probation. References are modified in the footnotes.

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[, **county intermediate punishment or state intermediate punishment**], except as provided in 204 Pa. Code Chapter 307; or revocation of 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, the later date determines the edition of the guidelines that shall apply to 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, September 26, 2014, September 25, 2015, January 1, 2018, [and] June 1, 2018, and January 1, 2020. This amendment, Amendment [5] 6 of the 7th Edition Sentencing Guidelines, shall take effect January 1, [2020] 2021 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 probation, county intermediate punishment and state intermediate punishment and related resentences to the Commission. The information shall be electronically submitted to the Commission via SGS Web no later than 30 days after the date of resentencing.

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

§ 303.2. Procedure for determining the guideline sentence.

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

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

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

(3) Determine the guideline sentence recommendation as described in § 303.9—§ 303.14, including 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] assigned to each offense based on the elements of the conviction offense and the classification of the crime. The Offense Gravity Scores are located in § 303.15.

(b) *Subcategorized offenses.* Certain conviction offenses are subcategorized [and scored by the Commission] according to the particular circumstances of the offense. **A subcategorized offense is assigned multiple offense gravity scores based on additional sentencing factors, which the court determines at sentencing.** 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 Scores are provided below and in the listing at § 303.15:

<u>Felony 1 with a statutory maximum greater than 20 years</u>	10
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

The Omnibus Offense Gravity Score [**is applied in the following circumstances:**] **shall apply to an offense not otherwise listed in § 303.15. For purposes of this section, an offense not otherwise listed includes a new section of statute added by the General Assembly.**

(1) [**when the offense is not otherwise listed in § 303.15:**] **For an amendment to an existing section of statute.**

(i) When the definition of an offense listed in § 303.15 is changed, the previously assigned offense gravity score shall apply.

(ii) When the grade or statutory maximum sentence of a subsection listed in § 303.15 has in-

creased, the omnibus offense gravity score shall apply, unless the previously assigned offense gravity score is higher.

(iii) When the grade or statutory maximum sentence of a subsection listed in § 303.15 has decreased, the omnibus offense gravity score shall apply, unless the previously assigned gravity score is lower.

(2) [**when the grade or statutory maximum sentence of an offense listed in § 303.15 has increased, unless application of this section would result in a lower Offense Gravity Score; or**] **For an addition of a new subsection of statute.**

(i) The lowest offense gravity score assigned within the section to the grade or the statutory maximum sentence of the offense shall apply to the new subsection.

(ii) When the grade or statutory maximum sentence of the new subsection is higher than the highest grade or statutory maximum sentence in the section, the highest assigned OGS in the section shall apply to the new subsection, unless the omnibus offense gravity score is higher.

(iii) When the grade or statutory maximum sentence of the new subsection is lower than the lowest grade or statutory maximum sentence in the section, the lowest assigned OGS in the section shall apply to the new subsection, unless the omnibus offense gravity score is lower.

[(3) **when the grade or statutory maximum sentence of an offense listed in § 303.15 has decreased, unless application of this section would result in a higher Offense Gravity Score.**]

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.]

(g) The Offense Gravity Score of 15 is assigned only for first and second degree murder.

§ 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 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)).

(3) Enhancement sentence recommendations. Guideline sentence recommendations may include sentence enhancements, which provide increases to the basic sentence recommendations when an enhancement factor identified by the Commission is present. Enhancement sentence recommendations are described in § 303.10. The application of an enhancement is determined by the court at sentencing, based on a preponderance of the evidence that the enhancement factor is present. Sentence enhancements can either be mandated by statute or directly adopted by the Commission.

(i) Several approaches are employed to establish enhancement sentence recommendations:

(A) assigning an offense gravity score to the offense that may be higher than comparable offenses without the enhancement, or assigning an offense gravity score equal to a comparable offense that includes the enhancement.

(B) increasing the assignment of an offense gravity score when the enhancement factor is present, which may include a subcategorization of the offense, in which a higher offense gravity score is assigned to the offense when the enhancement factor is present.

(C) adjusting the basic sentencing recommendation when the enhancement factor is present, by adding months to the top and bottom of the standard range.

(ii) If the court determines at sentencing that enhancement factors described in § 303.10 are present, the court shall instead consider the enhancement sentence recommendations described in § 303.10. The enhancement sentence recommendations shall not apply if the enhancement factor is:

(A) an element of the offense used to assign the Offense Gravity Score, pursuant to § 303.3(a); or

(B) a sentencing factor used to subcategorize the offense, pursuant to § 303.3(b).

(b) [*Deadly Weapon Enhancement sentence recommendations.* 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)). 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).] (Reserved).

(c) [*School/Youth 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 School, Youth or School and Youth Enhancements. When applying the School 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 Youth 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 School and Youth 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).] (Reserved).

(d) *Aggravated and mitigated sentence recommendations.* To determine the aggravated and mitigated sentence recommendations, apply § 303.13. **These procedures apply to both basic sentence recommendations and enhancement sentence recommendations.**

(e) [*Numeric*] **Confinement** sentence recommendations. All numbers **used for the ranges of the** sentence recommendations suggest months of minimum confinement pursuant to 42 Pa.C.S. § 9755(b) (partial confinement) and § 9756(b) (total confinement), **or the duration of restrictive conditions imposed through an order of probation pursuant to 42 Pa.C.S. § 9754, as described below:**

(1) **Confinement in a state facility (Department of Corrections) pursuant to:**

(i) 42 Pa.C.S. § 9762(b)(1)

(ii) 42 Pa.C.S. § 9762(b)(2)

(2) **Confinement in a county facility pursuant to:**

(i) 42 Pa.C.S. § 9762(b)(2)

(ii) 75 Pa.C.S. § 3804(d)

(3) **Confinement in a county facility pursuant to 42 Pa.C.S. § 9762(b)(3)**

(4) **Probation with restrictive conditions pursuant to:**

(i) 42 Pa.C.S. § 9763(c) (relating to restrictive DUI probation conditions)

(ii) 42 Pa.C.S. § 9763(d) (relating to restrictive conditions of probation)

(5) **Guidelines for restrictive conditions (42 Pa.C.S. § 2154.1)**

(i) **As required by statute:**

(A) **Probation guidelines shall address the use of county intermediate punishment programs as restrictive conditions of probation and the duration of terms of probation (42 Pa.C.S. § 2154(d));**

(B) **Guidelines for restrictive conditions shall give primary consideration to reducing recidivism for the protection of the public safety (42 Pa.C.S. § 2154.1).**

(ii) **The guidelines for restrictive conditions shall apply to an offender identified under the guidelines for probation (42 Pa.C.S. § 2154(d)) and the guidelines for restrictive conditions (42 Pa.C.S. § 2154.1) as eligible and appropriate for the use of county intermediate punishments programs as restrictive conditions of probation.**

(iii) **Unless otherwise provided in § 303.12, the duration of the aggregate term of probation imposed during a judicial proceeding shall not exceed ten years and the duration of the restrictive conditions of probation (42 Pa.C.S. § 9763(d)) or a combination of confinement without parole (as provided in 42 Pa.C.S. §§ 9755(h) and 9756(c.1)) and restrictive conditions of probation shall not exceed the suggested months of minimum confinement.**

(f) [**Alphabetic**] **Non-confinement** sentence recommendations. [RS in the sentence recommendation, an abbreviation for] **Probation with non-restrictive conditions (P) and other restorative sanctions (RS) are non-confinement community-based sentencing alternatives. A sentencing guidelines recommendation of RS suggests use of the least restrictive, non-confinement sentencing alternatives, and the sentencing guidelines recommendation of P suggests use of probation with non-restrictive general conditions, as described [in] below:**

(1) Probation guidelines (42 Pa.C.S. § 2154(d))

(i) **As required by statute, when serving as a restorative sanction with non-restrictive conditions, probation guidelines shall address the duration of terms of probation.**

(ii) **When probation is imposed as a restorative sanction, the duration of the term of probation shall not exceed the probation recommendation provided in the Basic Sentencing Matrix (§ 303.16(a)):**

(A) P1 = 1 year

(B) P2 = 2 years

(iii) **When imposed as a restorative sanction, the aggregate term of probation imposed during a judicial proceeding shall not exceed 5 years.**

(iv) **Conditions of probation imposed as restorative sanctions shall be limited to those non-restrictive conditions authorized under 42 Pa.C.S. § 9763(b) (relating to conditions generally).**

(2) Other restorative sanctions include:

(i) 42 Pa.C.S. § 9753 (determination of guilt without further penalty)[, § 9754 (order of probation) and]

(ii) 42 Pa.C.S. § 9758 (fine)—**as provided in § 303.14(a)(4) (relating to Fines/Community Service Guidelines)**

(iii) 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] Restrictive DUI probation conditions (42 Pa.C.S. § 9763(c)) are 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) (relating to 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)], former 75 Pa.C.S. § 3731 (relating to driving under the influence of alcohol or controlled substance) or 75 Pa.C.S. § 3804 (relating to penalties) for a first, second or third offense under 75 Pa.C.S. Chapter 38 (relating to driving after imbibing alcohol or utilizing drugs). The court may use [a Qualified Restrictive Intermediate Punishment] **Restrictive DUI probation conditions** pursuant to § 303.12(a)(6) or a **combination of confinement and restrictive DUI probation conditions** 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 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.

(o) *Domestic Violence Enhancement sentence recommendations.* If the court determines that an offender committed an offense against a family or household member as described in § 303.10(h), the court shall instead consider the Domestic Violence Enhancement as described below.

(1) When the enhancement is applied, the Offense Gravity Score assignments listed in § 303.15 are increased by one point. If the court further determines that an offender knew the crime was witnessed, either through sight or sound, by a minor who is also a family or household member of the offender or the victim, the court shall consider ordering the offender to pay the costs or fees associated with the treatment of the minor for exposure to domestic violence.

(2) The following words and phrases when used in this section shall have the following meanings as defined in 23 Pa.C.S. § 6102:

(i) *Family or household member*—Spouses or persons who have been spouses, persons living as spouses or who lived as spouses, parents and children, other persons related by consanguinity or

affinity, current or former sexual or intimate partners or persons who share biological parenthood.

(ii) *Minor*—An individual who is less than 18 years of age.]

§ 303.10. Guideline sentence recommendations: enhancements.

(a) *Deadly Weapon Enhancement, as required by 42 Pa.C.S. § 2154.(b)(3).*

(1) [When] 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), 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] 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), 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 **or a sentencing factor considered in the Offense Gravity Score assignment**

(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.

(5) The DWE/Possessed Matrix (§ 303.17(a)) is based on the following enhancement of the basic sentencing recommendations:

(i) For OGS 1—OGS 4, three months is added to the lower and upper limits of the standard range

(ii) For OGS 5—OGS 8, six months is added to the lower and upper limits of the standard range

(iii) For OGS 9—OGS 14, nine months is added to the lower and upper limits of the standard range

(6) The DWE/Used Matrix (§ 303.17(b)) is based on the following enhancement of the basic sentencing recommendations:

(i) For OGS 1—OGS 4, six months is added to the lower and upper limits of the standard range

(ii) For OGS 5—OGS 8, 12 months is added to the lower and upper limits of the standard range

(iii) For OGS 9—OGS 14, 18 months is added to the lower and upper limits of the standard range

(b) *School/Youth 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)] Youth Enhancement Matrix (§ 303.18(b)).**

(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)] School Enhancement Matrix (§ 303.18(a)).**

(3) When the court determines both (b)(1) and (b)(2) apply, the court shall consider the **[sentence recommendations described in § 303.9(c)] School and Youth Enhancement Matrix (§ 303.18(c)).**

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

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

(6) The School, Youth and School and Youth Enhancement Matrices are based on the following enhancements of the basic sentencing recommendations:

(i) For the School Enhancement Matrix (§ 303.18(a)), six months is added to the lower limits and 12 months is added to the upper limits of the standard range

(ii) For the Youth Enhancement Matrix (§ 303.18(b)), 12 months is added to the lower limits and 24 months is added to the upper limits of the standard range

(iii) For School and Youth Enhancement Matrix (§ 303.18(c)), 18 months is added to the lower limits and 36 months is added to the upper limits of the standard range

(c) Criminal Gang Enhancement, as required by 42 Pa.C.S. § 9720.4.

(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)] subsection (c)(4).**

(2) When the court determines that the offender committed a violation of 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)] subsection (c)(4).**

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

(4) 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.

(d) Third Degree Murder of a Victim Younger than Age 13 Enhancement, as required by 42 Pa.C.S. § 9711.1.

(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)] subsection (d)(3).**

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

(3) The 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 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, as required by 42 Pa.C.S. § 9720.5.

(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(l)(1)] subsection (e)(4).** 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(l)(2)] subsection (e)(4).** 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.

(4) The enhancement related to the number of images possessed by the offender or the nature and character of the abuse depicted provides the following:

(i) 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;

(ii) 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;

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

(f) Arson Enhancement, as required by 42 Pa.C.S. § 9720.6.

(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)**] **subsection (f)(3)**:

- (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.

(3) 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.

(g) Human Trafficking Enhancement, as required by 18 Pa.C.S. § 3024.

(1) 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 **as an element of the offense or a sentencing factor considered in the offense gravity score assignment in § 303.15**, the court shall [**instead**] consider the sentence recommendations as described in [**§ 303.9(n)**] **subsection (g)(2)**:

[(1)] **(i)** the offender committed a violation involving sexual servitude;

[(2)] **(ii)** the victim was a minor less than 18 years of age;

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

[(4)] **(iv)** 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).

(2) 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 (subsections (i)—(iv)) shall be cumulative, for a maximum of four points.

(h) Domestic Violence Enhancement, as required by 42 Pa.C.S. § 9720.8.

(1) When the court determines that the offender committed an offense under 18 Pa.C.S. Chapters 25, 27, 29, 30, 31, or 49 against a family or household member as defined in 23 Pa.C.S. § 6102, the court shall [**instead**] consider the sentence recommendation in [**§ 303.9(o)**] **subsection (h)(2)**.

(2) When the Domestic Violence Enhancement is applied, the Offense Gravity Score assignments listed in § 303.15 are increased by one point. If the court further determines that an offender knew the crime was witnessed, either through sight or sound, by a minor who is also a family or household member of the offender or the victim, the court shall consider ordering the offender to pay the costs or fees associated with the assessment and treatment of the minor for exposure to domestic violence.

(3) The following words and phrases when used in this section shall have the following meanings as defined in 23 Pa.C.S. § 6102:

“Family or household member.” Spouses or persons who have been spouses, persons living as spouses or who lived as spouses, parents and children, other persons related by consanguinity or affinity, current or former sexual or intimate partners or persons who share biological parenthood.

“Minor.” An individual who is less than 18 years of age.

(i) Other Enhancements.

(1) The following enhancements are provided in the sentencing guidelines through the assignment of an Offense Gravity Score or the subcategorization of the offense:

(i) 18 Pa.C.S. § 3133 (relating to sexual extortion), and the complainant is under 18 years of age or has an intellectual disability or the actor holds a position of trust or supervisory or disciplinary power over the complainant.

(ii) 18 Pa.C.S. § 3301 (relating to arson, and bodily injury to firefighter, police officer, etc. or serious bodily injury to civilian) as provided in 42 Pa.C.S. § 4720.6.

(iii) 18 Pa.C.S. § 3502(a)(1)(i) (relating to home invasion burglary) as provided in 42 Pa.C.S. § 9720.7.

(iv) 18 Pa.C.S. § 3702 (relating to robbery of a motor vehicle).

(v) 18 Pa.C.S. § 6105(a.1)(1.1) (relating to person not to possess, use, manufacture, control, sell or transfer firearms, and the person was previously convicted or was in physical possession of a firearm).

(vi) 18 Pa.C.S. § 6312 (relating to sexual abuse of children based on aggravating circumstances such as the age of the child or a determination of prepubescence) as provided in 42 Pa.C.S. § 9720.5.

(vii) 75 Pa.C.S. § 3732 (relating to homicide by vehicle, and including DUI, active work zone, and/or violation of Sections 1501, 1543, 3316, 3325, and 3327).

(viii) 75 Pa.C.S. § 3732.1 (relating to aggravated assault by vehicle, and including DUI, active work zone, and/or violation of Sections 1501, 1543, 3316, 3325, and 3327).

(ix) 75 Pa.C.S. § 3742 (relating to accidents involving death or personal injury if the victim dies).

(2) As provided in § 303.9(a)(3)(ii), no further enhancement applies.

§ 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, **a common starting point with a range of recommendations for the typical offender.** 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.

The sentencing guidelines provide recommendations regarding the type of disposition, the duration of confinement and/or community supervision, the intensity of conditions, and the requirements associated with restitution and other economic sanctions. While the sentencing guidelines provide a retributive framework for sentencing, other factors may impact the sentencing decision and other information may assist the court in determining an appropriate and individualized sentence. These include: (1) mandatory minimum sentencing provisions, which when applicable supersede the sen-

tencing guidelines recommendations; (2) diagnostic evaluations of dependency on alcohol and other drugs and clinically prescribed treatment; and (3) the use of validated assessments of risk, needs and responsivity and related evidence-based practices to guide decisions related to the intensity and duration of community supervision.

While courts are required to consider the guidelines at sentencing, Pennsylvania's sentencing guidelines are advisory: "Guidelines serve the laudatory role of aiding and enhancing the judicial exercise of judgement by the Court in imposing a sentence... they are advisory guideposts that are valuable, may provide an essential starting point, and that must be respected and considered; they recommend, however, than require a particular sentence." *Com. v. Walls* (926 A.2d 957) (Pa., 2007).

The imposition of a sentence involves decisions beyond disposition and duration, such as place of confinement, paroling authority and intensity of community supervision. In many cases the court is required to determine the eligibility and appropriateness of individuals for program participation, including as provided in § 303.12: county intermediate punishment programs as restrictive conditions of probation, numerous state correctional programs operated by the Pennsylvania Department of Corrections, and reentry programs authorized at the time of sentencing. Additionally, the specialized jurisdiction of problem-solving courts, as authorized by 42 Pa.C.S. § 916, provide an avenue for the use of court-supervised individualized treatment programs and services.

(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, Enhancement) applies. When the individual or aggregate minimum sentence recommendation includes confinement in a county facility, **the court should consider the guidelines to determine the appropriateness and eligibility for probation with restrictive conditions as described in § 303.12(a) and county reentry as described in § 303.12(f)(1).** When the individual or aggregate minimum sentence recommendation includes confinement in a state facility, **the court should consider the guidelines to determine the appropriateness and eligibility for certain correctional programs, including State Motivational Boot Camp, State Drug Treatment Program, Recidivism Risk Reduction Incentive Program and Short Sentence Parole as described in § 303.12(b)—**(e). 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)] non-confinement sentencing recommendations as provided in § 303.9(f).** The primary purpose of this level is to provide the minimal control necessary to fulfill court-ordered obligations. **[The following sentencing options are 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 sentencing recommendations as provided in § 303.9(f) and confinement sentencing recommendations served in a county facility as provided in § 303.9(e)(2), (3) and (4)**. 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] confinement sentencing recommendations as provided in § 303.9(e)**, 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] the use of restrictive DUI probation conditions as provided in § 303.9(e)(4)(i)** 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 confinement sentencing recommendations as provided in § 303.9(e) **[state incarceration]** but permits it to be served in a county facility **[pursuant to 42 Pa.C.S. § 9762(b)] as provided in § 303.9(e)(2)(i)**. 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] the use of restrictive DUI probation conditions as provided in § 303.9(e)(4)(i) and certain correctional programs as provided in § 303.12** are 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] sentencing and correctional programs provided in § 303.12** are 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 **and requires a confinement sentence recommendations as provided in § 303.9(e)**, or the standard range requires **[state incarceration in a state facility] a confinement sentence recommendations in a state facility as provided in § 303.9(e)(1)**. 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] the use of restrictive DUI probation conditions as provided in § 303.9(e)(4)(i) and certain correctional programs as provided in § 303.12** are 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] sentencing and correctional programs provided in § 303.12** are 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 and correctional programs.

(a) County intermediate punishment (CIP) programs as restrictive conditions of probation. County intermediate punishment programs are developed, implemented and operated for the following purposes: to protect society and promote efficiency and economy in the delivery of correctional services; to promote accountability of offenders to their local community; to fill gaps in local correctional systems and address local needs through expansion of punishment and services available to the court; and to provide opportunities for offenders who demonstrate special needs to receive services which enhance their ability to become contributing members of the community.

(1) *Eligibility.*

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

37 Pa. Code § [451.11] 451.111 et seq.

42 Pa.C.S. [§] §§ 2154, 2154.1, 9754, 9763, § 9773 and Chapter 98

204 Pa. Code [§ 303.8 and] § 303.9 and § 303.11

(ii) Sentence recommendations which include an option of county intermediate punishment programs as restrictive conditions of probation for certain offenders are [designated in the guideline matrices] described in § 303.9(e)(4) and (5).

(2) The county intermediate punishment plan, as described in 42 Pa.C.S. Chapter 98, 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.] (Reserved).

(4) Restrictive [Intermediate Punishments (RIP)] conditions of probation. Restrictive [Intermediate Punishments] conditions of probation, as provided in 42 Pa.C.S. § 9763(d), 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 statutory requirements for restrictive DUI probation conditions (relating to 42 Pa.C.S. § 9763(c)) and restrictive conditions of probation (relating to 42 Pa.C.S. § 9763(d)) and the minimum standards provided in the Pennsylvania Commission on Crime and Delinquency regulations (37 Pa. Code Chapter 451) for county intermediate punishments, and comply with the guidelines adopted pursuant to 42 Pa.C.S. § 2151.1 relating to adoption of guidelines for restrictive conditions).

(i) Restrictive [Intermediate Punishments (RIP) either] conditions of probation:

(A) house the [offender] person full time or part time; or

(B) significantly restrict the [offender's] person's movement and monitor the offender's compliance with the [program(s); or] program, including electronic monitoring or home confinement.

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

(ii) An offender under consideration for [Restrictive Intermediate Punishments] restrictive conditions of probation 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] restrictive conditions of probation, 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] restrictive condition of probation. Each day of participation in a [Restrictive Intermediate Punishment program or combination of programs] restrictive condition of probation 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] restrictive DUI probation conditions 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.] (Reserved).

(6) [**Qualified Restrictive Intermediate Punishments Restrictive DUI probation conditions.** In accordance with 42 Pa.C.S. [§§] § 9763(c)[, 9804(b) and 37 Pa. Code § 451, Qualified Restrictive Intermediate Punishment programs] and § 303.9, restrictive DUI probation conditions 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[,] or 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 Restrictive DUI probation condition** include:

(A) if the [**offender defendant** 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 a first, second or third offense under 75 Pa.C.S. Chapter 38, [or 75 Pa.C.S. § 3808(a)(2)] a sentence [**to county intermediate punishment**] with restrictive DUI probation conditions shall include participation in drug and alcohol treatment under 75 Pa.C.S. § 3815(c), and [**may be combined with**] shall have restrictive DUI probation conditions of:

(I) a residential inpatient program or residential rehabilitative center;

(II) house arrest with electronic surveillance;

(III) a partial confinement program such as work release, a work camp or a halfway facility; or

(IV) any combination of [**qualified Restrictive Intermediate Punishment**] these programs.

(B) if the [**offender defendant** 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] the defendant shall have restrictive DUI probation conditions of:

(I) house arrest with electronic surveillance; or

(II) partial confinement programs such as work release, a work camp or a halfway facility; or

(III) any combination of [**qualified Restrictive Intermediate Punishment**] these programs.

(b) State Motivational Boot Camp (BC). A program for eligible persons committed to the Department of Corrections in which inmates participate for a period of six months in a humane program which provides rigorous physical activity, intensive regimentation and discipline, work on public projects, substance abuse treatment services licensed by the Department of Health, continuing education, vocational training, prerelease counseling and community corrections aftercare.

(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)). Boot Camp is recommended for eligible persons less than 40 years of age committed to the Department of Corrections with a minimum term not more than two years and a maximum term of five years or less; or a minimum term not more than three years and within two years of completing the minimum term. The court may exercise discretion to exclude the person from eligibility. If eligible, the person must give consent to enter the program.**

(2) The court shall indicate on the offender's commitment order and the Guideline Sentence Form if the [**offender is authorized as eligible**] person is excluded from eligibility 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.

(3) Upon successful completion of the program, the person shall be immediately released on parole, subject to intensive supervision. Expulsion from the program results in the person's continued service of the original sentence imposed, with consideration of parole upon completion of the minimum term.

(c) [**State Intermediate Punishment (SIP). State Drug Treatment Program (SDP). A 24-month program for drug-related persons committed to the Department of Corrections designed to address the individually assessed drug and alcohol abuse and addition needs of a participant and to address other issues essential to the participant's successful reintegration into the community, including, but not limited to, educational and employment issues.**

(1) *Eligibility.*

(i) The following statute governs operation of and eligibility for [**State Intermediate Punishment**] **State Drug Treatment Program**: 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. State Drug Treatment Program is recommended for**

eligible persons convicted of drug-related offenses committed to the Department of Corrections with a minimum term not more than two years and a maximum term of five years or less; or a minimum term not more than five years and within two years of completing the minimum term. The court and the prosecutor may exercise discretion to exclude the person from eligibility. If eligible, the person must give consent to enter the program, and the DOC assessment must conclude that the person is in need of drug and alcohol addiction treatment.

(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.] shall indicate on the offender's commitment order and the Guideline Sentence Form if the person is excluded from eligibility for the State Drug Treatment Program. The Department of Corrections makes the final determination as to whether the offender will be accepted into the State Drug Treatment Program.

(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.] successful completion of the program, the entire term of confinement that rendered the person eligible to participate in the State Drug Treatment Program shall be deemed to have been served. Expulsion from the program results in the person's continued service of the original sentence imposed, with consideration of parole upon completion of the minimum term.

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

(d) *Recidivism Risk Reduction Incentive (RRRI)*. A program to encourage eligible non-violent offenders committed to the Department of Corrections to participate in and successfully complete evidence-based programs that reduce the likelihood of recidivism and improve public safety.

(1) *Eligibility*

(i) The following statute governs operation of and eligibility for the Recidivism Risk Reduction Incentive Program: 61 Pa.C.S. Chapter 45.

(ii) *Recidivism Risk Reduction Incentive Program* is an individualized plan that contains approved treatment and other approved programs designed to reduce recidivism risk of a specific inmate. If the court determines the person committed to the Department is statutorily eligible, the court shall provide notice of eligibility to the person, and the court shall direct the Department to calculate the RRRI minimum sentence.

(2) The court shall indicate on the offender's commitment order and the Guideline Sentence

Form if the person is eligible and direct the Department to calculate the RRRI minimum sentence. The RRRI minimum sentence is three-fourths of the minimum sentence when the minimum sentence is three years or less. The RRRI minimum sentence is offender is five-sixths of the minimum sentence when the minimum sentence is greater than three years.

(3) Upon certification by the Department that the person has completed all requirements of the program and remains an eligible offender, the Parole Board may grant parole upon the expiration of the RRRI minimum sentence.

(e) *Short Sentence Parole (SSP)*. A program for eligible non-violent offenders committed to the Department of Corrections with an aggregate minimum sentence of confinement of two years or less for which parole at minimum without an interview is authorized.

(1) *Eligibility*

(i) The following statute governs operation of and eligibility for Short Sentence Parole: 61 Pa.C.S. § 6137.1.

(ii) Short Sentence Parole requires the Parole Board to approve for parole an eligible person at the expiration of the minimum date or RRRI minimum date, whichever is shorter, without requiring an interview.

(2) A person shall not be eligible for Short Sentence Parole if found guilty of a major disciplinary infraction while confined in a county or state correctional institution, or has pending felony charges.

(f) *Reentry Programs*

(1) *County Reentry Program* (as provided in 42 Pa.C.S. § 9756(b)(3)).

(i) A release plan that may include drug and alcohol treatment, behavioral health treatment, job training, skills training, education, life skills or any other condition deemed relevant by the court.

(ii) At the time of sentencing, the court shall state whether or not the defendant is eligible to participate in a reentry plan at any time prior to the expiration of the minimum sentence or at the expiration of a specified portion of the minimum sentence.

(iii) The reentry plan eligibility shall be considered a party of the sentence and subject to the requirements related to the entry, recording and reporting of sentences.

(2) *State Reentry Supervision* (as provided in 61 Pa.C.S. § 6137.2).

(i) Requirement that applies to persons committed to the Department of Corrections with an aggregate minimum sentence of total confinement of four years or more.

(ii) At the time of sentencing, a period of reentry supervision of 12 months shall be imposed consecutive to and in addition to any other lawful sentence issued by the court.

(iii) Persons who have been granted any period of parole during the same period of incarceration

shall be deemed to have served the reentry supervision requirement.

(3) Mandatory period of probation for certain sexual offenders (as provided in 42 Pa.C.S. § 9718.5).

(i) Requirement that applies to persons convicted of an offense under 42 Pa.C.S. § 9799.14(d) (relating to sexual offenses and tier system).

(ii) At the time of sentencing, a mandatory period of probation of three years shall be imposed consecutive to and in addition to any other lawful sentence issued by the court.

(iii) The court may impose the term of probation required in addition to the maximum sentence permitted for the offense for which the person was convicted.

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

(a) [When] Unless otherwise prohibited by statute, when the court determines that an aggravating [circumstance(s)] circumstance is present, [it] including consideration of validated assessments of risk, needs and responsivity to guide decisions related to the intensity of intervention, use of restrictive conditions and duration of community supervision, the court 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] **1—3**.

(b) [When] Unless otherwise prohibited by statute, when the court determines that a mitigating [circumstance(s)] circumstance is present, [it] including consideration of validated assessments of risk, needs and responsivity to guide decisions related to the intensity of intervention, use of restrictive conditions and duration of community supervision, the court 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] an enhancement is applied may the mitigated sentence recommendation be lower than [3 months] the duration of the enhancement of the standard range described in § 303.10.

[(7) In no case where the School/Youth Enhancement is applied may the mitigated sentence recommendation be lower than 6 months for the School Enhancement, 12 months for the Youth Enhancement, and 18 months for the School and Youth 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] a condition of probation** (see **[restorative sanction] non-confinement sentence recommendations** § 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)] (i) OGS 1

- [i.] (A) PRS 0** 25 hours-50 hours
- [ii.] (B) PRS 1** 50 hours-75 hours
- [iii.] (C) PRS 2** 75 hours-100 hours
- [iv.] (D) PRS 3** 100 hours-125 hours
- [v.] (E) PRS 4** 125 hours-150 hours
- [vi.] (F) PRS 5** 150 hours-175 hours

[(B)] (ii) OGS 2

- [i.] (A) PRS 0** 25 hours-50 hours
- [ii.] (B) PRS 1** 75 hours-100 hours
- [iii.] (C) PRS 2** 100 hours-125 hours
- [iv.] (D) PRS 3** 125 hours-150 hours
- [v.] (E) PRS 4** 150 hours-175 hours

[(C)] (iii) OGS 3

- [i.] (A) PRS 0** 50 hours-75 hours
- [ii.] (B) PRS 1** 150 hours-175 hours
- [iii.] (C) PRS 2** 225 hours-250 hours
- [iv.] (D) PRS 3** 300 hours-325 hours

[(D)] (iv) OGS 4

- [i.] (A) PRS 0** 100 hours-125 hours

[ii.] (B) PRS 1 225 hours-250 hours

[iii.] (C) PRS 2 300 hours-325 hours

[(E)] (v) OGS 5

[i.] (A) 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 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 fees)
- (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 of any reward)
- (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 prosecution involving domestic violence)
- (vii) 42 Pa.C.S. § 9728(g) (relating to costs, etc.)

(3) Costs and fees, in addition to those required by law, shall be considered by the court pursuant to the Domestic Violence Enhancement (§ 303.9(o)), as authorized by law.

(c) *Restitution*

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

- (i) 18 Pa.C.S. § 1106 (relating to injuries to person or property)
- (ii) 18 Pa.C.S. § 1107 (relating to theft of timber)
- (iii) 18 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] and/or** as a condition of probation **[or intermediate punishment]**, and is considered a non-confinement **[sentencing alternative] sentence recommendation** (see **[restorative sanction]** § 303.9(f)).

§ 303.15. Offense Listing.

CRIMES CODE OFFENSES

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

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

<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>
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	15	4
2505(a)	Suicide, causing (as homicide/murder 2)	Murder of 2nd Degree	15	4
2505(a)	Suicide, causing (as homicide/murder 3)	F-1	14	4
2505(a)	Suicide, causing (as homicide/vol manslaughter)	F-1	11	4
2505(a)	Suicide, causing (as homicide/invol. manslaughter)	M-1	6	1
2505(a)	Suicide, causing (as homicide/invol. manslaughter-victim <12 yrs)	F-2	8	2
2505(a)	Suicide, causing (as homicide/invol. manslaughter-w/ DUI or BUI conv)	M-1	8	1
2505(b)	Suicide, aiding or soliciting (positive result)	F-2	6	2
2505(b)	Suicide, aiding or soliciting (no result)	M-2	2	m
2506(a)	Drug delivery resulting in death	F-1	13	4
2507 Inchoate	—Attempt/solicitation/conspiracy to Murder of law enforcement officer (SBI)	18 Pa.C.S. § 1102(c)	14	4
2507 Inchoate	—Attempt/solicitation/conspiracy to Murder of law enforcement officer (No SBI)	18 Pa.C.S. § 1102(c)	13	4
2507(a)	Murder of law enforcement officer-1st degree	Murder of 1st Degree	15	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	15	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	15	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

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
2604(b)(1)	Murder of unborn child-2nd degree	Murder of 2nd Degree	15	4
2604(b)(1)	Murder of unborn child-2nd degree (offender 15-<18 yrs.)	Murder of 2nd Degree	15	4
2604(b)(1)	Murder of unborn child-2nd degree (offender <15 yrs.)	Murder of 2nd Degree	15	4
2604(c)(1)	Murder of unborn child-3rd degree	F-1	14	4
2605(a)(1)	Voluntary manslaughter of unborn child (provocation from mother)	F-1	11	4
2605(a)(2)	Voluntary manslaughter of unborn child (provocation from another)	F-1	11	4
2605(b)	Voluntary manslaughter of unborn child (believe justified)	F-1	11	4
2606(a)*	Aggravated assault of unborn child (causes SBI)	F-1	11	4
2606(a)*	Aggravated assault of unborn child (attempts to cause SBI)	F-1	10	3
2701(a)(1)	Simple assault-attempt/cause BI	M-2	3	m
2701(a)(1)	Simple assault-attempt/cause BI (against child <12 by adult >=18)	M-1	4	1
2701(a)(1)	Simple assault-attempt/cause BI (mutual consent)	M-3	1	m
2701(a)(2)	Simple assault-cause BI w/ deadly weapon	M-2	3	m
2701(a)(2)	Simple assault-cause BI w/ deadly weapon (against child <12 by adult >=18)	M-1	4	1
2701(a)(2)	Simple assault-cause BI w/ deadly weapon (mutual consent)	M-3	1	m
2701(a)(3)	Simple assault-cause fear of SBI	M-2	3	m
2701(a)(3)	Simple assault-cause fear of SBI (against child <12 by adult >=18)	M-1	4	1
2701(a)(3)	Simple assault-cause fear of SBI (mutual consent)	M-3	1	m
2701(a)(4)	Simple assault-penetrate w/ hypodermic needle	M-2	3	m
2701(a)(4)	Simple assault-penetrate w/ hypodermic needle (against child <12 by adult >=18)	M-1	4	1
2701(a)(4)	Simple assault-penetrate w/ hypodermic needle (mutual consent)	M-3	1	m
2702(a)(1)*	Aggravated assault-cause SBI	F-1	11	4
2702(a)(1)*	Aggravated assault-attempt SBI	F-1	10	3
2702(a)(2)*	Aggravated assault-cause SBI to police/enumerated persons	F-1	11	4
2702(a)(2)*	Aggravated assault-attempt SBI to police/enumerated persons	F-1	10	3
2702(a)(3)	Aggravated assault-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

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
2702(a)(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	15	4
2704 Inchoate	—Attempt/solicitation/conspiracy to assault by life prisoner (SBI)	18 Pa.C.S. § 1102(c)	14	4
2704 Inchoate	—Attempt/solicitation/conspiracy to assault by life prisoner (No SBI)	18 Pa.C.S. § 1102(c)	13	4
2705	Recklessly endangering another person	M-2	3	m
2706(a)(1)	Terroristic threats-intent to terrorize	M-1	3	m
2706(a)(1)	Terroristic threats-intent to terrorize/divert from activities	F-3	5	1
2706(a)(2)	Terroristic threats-cause evacuation of building	M-1	3	m
2706(a)(2)	Terroristic threats-cause evacuation of building/divert from activities	F-3	5	1
2706(a)(3)	Terroristic threats-serious public inconvenience	M-1	3	m
2706(a)(3)	Terroristic threats-serious public inconvenience/divert from activities	F-3	5	1
2707(a)	Propulsion of missiles into an occupied vehicle	M-1	3	m
2707(b)	Propulsion of missiles onto a roadway	M-2	2	m
2707.1(a)	Discharge of firearm into an occupied structure	F-3	10	1
2708(a)	Use of tear gas in labor dispute	M-1	3	m
2709(a)(1)	Harassment-subject other physical contact (prev. violation of order)	M-3	1	m
2709(a)(2)	Harassment-follow in public place (prev. violation of order)	M-3	1	m
2709(a)(3)	Harassment-course of conduct w/ no legitimate purpose (prev. violation of order)	M-3	1	m
2709(a)(4)	Harassment-lewd communication	M-3	1	m
2709(a)(5)	Harassment-repeated, anonymous communication	M-3	1	m
2709(a)(6)	Harassment-repeated communication: inconvenient hours	M-3	1	m
2709(a)(7)	Harassment-repeated communication: other	M-3	1	m
2709(a.1)(1)(i)	Cyber harassment of a child; seriously disparaging statements or opinion (course of conduct)	M-3	1	m
2709(a.1)(1)(ii)	Cyber harassment of a child; threat to inflict harm (course of conduct)	M-3	1	m
2709.1(a)(1)	Stalking-repeated acts to cause fear of BI (1st off)	M-1	4	m
2709.1(a)(1)	Stalking-repeated acts to cause fear of BI (2nd/subsq off)	F-3	6	1
2709.1(a)(1)	Stalking-repeated acts to cause fear of BI (prior crime of violence)	F-3	6	1
2709.1(a)(2)	Stalking-course of conduct to cause fear of BI (1st off)	M-1	4	m

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
2709.1(a)(2)	Stalking-course of conduct to cause fear of BI (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 death)	F-1	11	3
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 death)	F-1	11	3
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
2713(a)(3)	Neglect of care-dependent person-fails to provide treatment, care, goods, etc. (course of conduct)	F-3	5	1
2713(a)(3)	Neglect of care-dependent person-fails to provide treatment, care, goods, etc.	M-2	2	m
2713.1(a)(1)(i)	Abuse of care-dependent person-intent to harass, etc. (strike, shove kick)	M-1	4	m
2713.1(a)(1)(ii)	Abuse of care-dependent person-intent to harass, etc. (course of conduct)	M-1	4	m
2713.1(a)(1)(iii)	Abuse of care-dependent person-intent to harass, etc. (communications-type)	M-1	3	m
2713.1(a)(1)(iv)	Abuse of care-dependent person-intent to harass, etc. (communicate-extremely inconvenient hours)	M-1	3	m
2713.1(a)(2)	Abuse of care-dependent person-offense under 18 § 2709.1 (related to stalking)	F-3	5	1
2714	Unauthorized administration of intoxicant	F-3	8	1
2715(a)(3)	Threat to use weapons of mass destruction-reports w/o knowledge	M-1	3	m
2715(a)(3)	Threat to use weapons of mass destruction-reports w/o knowledge (divert from activities)	F-3	5	1
2715(a)(3)	Threat to use weapons of mass destruction-reports w/o knowledge (during emergency)	F-2	7	2
2715(a)(4)	Threat to use weapons of mass destruction-threaten placement	M-1	3	m
2715(a)(4)	Threat to use weapons of mass destruction-threaten placement (divert from activities)	F-3	7	1
2715(a)(4)	Threat to use weapons of mass destruction-threaten placement (during emergency)	F-2	7	2
2716(a)	Weapons of mass destruction-possession (1st off)	F-2	7	2
2716(a)	Weapons of mass destruction-possession (2nd/subsq off)	F-1	11	4
2716(b)(1)	Weapons of mass destruction-use (cause death)	Murder of 2nd Degree	15	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>
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	3	m
2718(a)(1)	Strangulation-applying pressure to throat or neck	F-2	9	2
2718(a)(1)	Strangulation-applying pressure to throat or neck	F-1	10	[3] 4
2718(a)(2)	Strangulation-blocking nose and mouth	M-2	3	m
2718(a)(2)	Strangulation-blocking nose and mouth	F-2	9	2
2718(a)(2)	Strangulation-blocking nose and mouth	F-1	10	[3] 4
2802(a)(1)	Hazing a minor or student-violate federal or state criminal law (reasonable likelihood of BI)	M-3	1	m
2802(a)(2)	Hazing a minor or student-consume food, liquid, alcohol, drug, etc. (reasonable likelihood of BI)	M-3	1	m
2802(a)(3)	Hazing a minor or student-endure brutality of physical nature (reasonable likelihood of BI)	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>
2802(a)(4)	Hazing a minor or student-endure brutality of mental nature (reasonable likelihood of BI)	M-3	2	m
2802(a)(5)	Hazing a minor or student-endure brutality of sexual nature (reasonable likelihood of BI)	M-3	2	m
2802(a)(6)	Hazing a minor or student-endure other activity (reasonable likelihood of BI)	M-3	1	m
2803(a)(1)*	Aggravated hazing a minor or student-reckless indifference (SBI)	F-3	5	1
2803(a)(1)*	Aggravated hazing a minor or student-reckless indifference (death)	F-3	7	1
2803(a)(2)*	Aggravated hazing a minor or student-causes, coerces or forces consumption of alcohol or drug (SBI)	F-3	5	1
2803(a)(2)*	Aggravated hazing a minor or student-causes, coerces or forces consumption of alcohol or drug (death)	F-3	7	1
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)] 2904(a)*	Interfere with custody of children-good cause/time <24 hrs.	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>
2904(a)*	Interfere with custody of children-good cause/time <24 hrs. (ML Tier I)	M-2	3	m
2904(a)	Interfere with custody of children-w/ reckless disregard	F-2	8	2
2905(a)	Interfere with custody of committed person	M-2	4	m
2906(a)(1)	Criminal coercion-threat to commit crime	M-2	2	m
2906(a)(1)	Criminal coercion-threat to commit crime (felony)	M-1	3	m
2906(a)(2)	Criminal coercion-threat to accuse of crime	M-2	2	m
2906(a)(2)	Criminal coercion-threat to accuse of crime (felony)	M-1	3	m
2906(a)(3)	Criminal coercion-threat to expose secret	M-2	2	m
2906(a)(3)	Criminal coercion-threat to expose secret (felony)	M-1	3	m
2906(a)(4)	Criminal coercion-threaten official act	M-2	2	m
2906(a)(4)	Criminal coercion-threaten official act (felony)	M-1	3	m
2907	Disposition of ransom	F-3	5	1
2909(b)(1)	Concealment of whereabouts of a child-in Commonwealth	F-3	4	1
2909(b)(2)	Concealment of whereabouts of a child-parents in Commonwealth	F-3	4	1
2910(a)	Luring child into motor vehicle/structure	M-1	5	1
2910	Luring a child into motor vehicle/structure (child <13 yrs)	F-2	8	2
3011(a)(1)	[Human trafficking-trafficking] Trafficking in individuals [()-recruits, entices, solicits, harbors, etc.()]	[F-2] F-1	[12] 10	[2] 4
3011(a)(1)	Trafficking in individuals recruits, entices, solicits, harbors, etc. (minor being subjected to sexual servitude, course of conduct) (as provided in § 3011(b))	F-1	12	4
3011(a)(2)	[Human trafficking-trafficking] Trafficking in individuals [()-knowingly benefits financially()]	[F-2] F-1	[12] 10	[2] 4
3011(a)(2)	Trafficking in individuals-knowingly benefits financially (minor being subjected to sexual servitude, course of conduct) (as provided in § 3011(b))	F-1	12	4
3011(a)(3)	Trafficking in individuals-knows or recklessly disregards	F-2	9	2
3011(a)(4)	Trafficking in individuals-knowingly benefits financially	F-2	9	2
[3011(b)]	[Human trafficking-trafficking in minors (activities in (a) result in minor's sexual servitude)]	[F-1]	[12]	[4]
3012(b)(1)*	[Human trafficking-involuntary] Involuntary servitude [()-cause serious harm()]	F-1	10	3
3012(b)(1)*	[Human trafficking-involuntary] Involuntary servitude [()-threaten serious harm()]	F-1	9	3
3012(b)(2)*	[Human trafficking-involuntary] Involuntary servitude [()-physically restrain another()]	F-1	10	3
3012(b)(2)*	[Human trafficking-involuntary] Involuntary servitude [()-threaten to physically restrain another()]	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>
3012(b)(3)*	[Human trafficking-involuntary] Involuntary servitude [([]-kidnap[])]	F-1	11	4
3012(b)(3)*	[Human trafficking-involuntary] Involuntary servitude [([]-attempt to kidnap[])]	F-1	10	3
3012(b)(4)*	[Human trafficking-involuntary] Involuntary servitude [([]-abuse legal process[])]	F-1	10	3
3012(b)(4)*	[Human trafficking-involuntary] Involuntary servitude [([]-threaten to abuse legal process[])]	F-1	9	3
3012(b)(5)	[Human trafficking-involuntary] Involuntary servitude [([]-taking/retaining personal property[])]	F-1	10	3
3012(b)(6)	[Human trafficking-involuntary] Involuntary servitude [([]-unlawful conduct of documents[])]	F-1	10	3
3012(b)(7)	[Human trafficking-involuntary] Involuntary servitude [([]-extortion[])]	F-1	10	3
3012(b)(8)	[Human trafficking-involuntary] Involuntary servitude [([]-fraud[])]	F-1	10	3
3012(b)(9)	[Human trafficking-involuntary] Involuntary servitude [([]-criminal coercion[])]	F-1	10	3
3012(b)(10)*	[Human trafficking-involuntary] Involuntary servitude [([]-duress through force[])]	F-1	10	3
3012(b)(10)*	[Human trafficking-involuntary] Involuntary servitude [([]-duress through threat of force[])]	F-1	9	3
3012(b)(11)	[Human trafficking-involuntary] Involuntary servitude [([]-debt coercion[])]	F-1	10	3
3012(b)(12)	[Human trafficking-involuntary] Involuntary servitude [([]-facilitate/restrict access to controlled substance[])]	F-1	10	3
3012(b)(13)	[Human trafficking-involuntary] Involuntary servitude [([]-cause believe harm/restraint to another[])]	F-1	10	3
[3013(a)] 3013(a)(1)*	[Human trafficking-patronizing] Patronizing victim of sexual servitude	[F-2] F-1	10	[2] 4
3013(a)(1)*	Patronizing victim of sexual servitude-minor victim	F-1	11	4
3013(a)(2)(i)*	Patronizing victim of sexual servitude-reckless disregard (1st offense)	F-3	6	1
3013(a)(2)(i)*	Patronizing victim of sexual servitude-reckless disregard; minor victim (1st offense)	F-3	7	1
3013(a)(2)(ii)*	Patronizing victim of sexual servitude-reckless disregard (2nd/subsq offense)	F-1	9	4
3013(a)(2)(ii)*	Patronizing victim of sexual servitude-reckless disregard: minor victim (2nd/subsq offense)	F-1	10	4
3014(1)	[Human trafficking-unlawful] Unlawful conduct regarding documents [([]-passport/other immigration document[])]	F-3	6	1
3014(2)	[Human trafficking-unlawful] Unlawful conduct regarding documents [([]-government ID document[])]	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>
3015(a)(1)	[Human trafficking-nonpayment] Nonpayment of wages (<\$2,000)	M-3	2	m
3015(a)(2)(i)	[Human trafficking-nonpayment] Nonpayment of wages (=>\$2,000)	F-3	6	1
3015(a)(2)(ii)	[Human trafficking-nonpayment] Nonpayment of wages (2nd/subsq. violation)	F-3	6	1
3015(a)(2)(iii)	[Human trafficking-nonpayment] Nonpayment of wages (falsely denies amount due or validity of claim)	F-3	6	1
3016	[Human trafficking-obstruction] 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
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

<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.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
3130(a)(1)	Conduct relating to sex offenders-withhold information	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>
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
<u>3132(a)(1)</u>	<u>Female mutilation</u>	<u>F-1</u>	<u>12</u>	<u>3</u>
<u>3132(a)(2)</u>	<u>Female mutilation-is a parent of a minor and the parent knowingly consents or permits</u>	<u>F-1</u>	<u>11</u>	<u>3</u>
<u>3132(a)(3)</u>	<u>Female mutilation-knowingly removes or permits the removal of a minor from this Commonwealth</u>	<u>F-1</u>	<u>11</u>	<u>3</u>
<u>3133(a)(1)</u>	<u>Sexual extortion-engage in sexual conduct</u>	<u>M-1</u>	<u>3</u>	<u>m</u>
<u>3133(a)(1)</u>	<u>Sexual extortion-engage in sexual conduct: victim<18</u>	<u>F-3</u>	<u>6</u>	<u>1</u>
<u>3133(a)(1)</u>	<u>Sexual extortion-engage in sexual conduct: intellectual disability</u>	<u>F-3</u>	<u>6</u>	<u>1</u>
<u>3133(a)(1)</u>	<u>Sexual extortion-engage in sexual conduct: offender's position</u>	<u>F-3</u>	<u>6</u>	<u>1</u>
<u>3133(a)(1)</u>	<u>Sexual extortion-engage in sexual conduct: course of conduct</u>	<u>F-3</u>	<u>5</u>	<u>1</u>
<u>3133(a)(1)</u>	<u>Sexual extortion-engage in sexual conduct: 2nd/subsq</u>	<u>F-3</u>	<u>5</u>	<u>1</u>
<u>3133(a)(2)</u>	<u>Sexual extortion-produce/disseminate image, etc.</u>	<u>M-1</u>	<u>3</u>	<u>m</u>
<u>3133(a)(2)</u>	<u>Sexual extortion-produce/disseminate image, etc.: victim<18</u>	<u>F-3</u>	<u>6</u>	<u>1</u>
<u>3133(a)(2)</u>	<u>Sexual extortion-produce/disseminate image, etc.: intellectual disability</u>	<u>F-3</u>	<u>6</u>	<u>1</u>
<u>3133(a)(2)</u>	<u>Sexual extortion-produce/disseminate image, etc.: offender's position</u>	<u>F-3</u>	<u>6</u>	<u>1</u>
<u>3133(a)(2)</u>	<u>Sexual extortion-produce/disseminate image, etc.: course of conduct</u>	<u>F-3</u>	<u>5</u>	<u>1</u>
<u>3133(a)(2)</u>	<u>Sexual extortion-produce/disseminate image, etc.: 2nd/subsq</u>	<u>F-3</u>	<u>5</u>	<u>1</u>
<u>3133(c)(1)</u>	<u>Sexual extortion-solicit/demand payment to remove/prevent disclosure of image, etc.</u>	<u>M-1</u>	<u>3</u>	<u>m</u>
<u>3133(c)(1)</u>	<u>Sexual extortion-solicit/demand payment to remove/prevent disclosure of image, etc.: victim<18</u>	<u>F-3</u>	<u>6</u>	<u>1</u>
<u>3133(c)(1)</u>	<u>Sexual extortion-solicit/demand payment to remove/prevent disclosure of image, etc.: intellectual disability</u>	<u>F-3</u>	<u>6</u>	<u>1</u>
<u>3133(c)(1)</u>	<u>Sexual extortion-solicit/demand payment to remove/prevent disclosure of image, etc.: offender's position</u>	<u>F-3</u>	<u>6</u>	<u>1</u>
<u>3133(c)(1)</u>	<u>Sexual extortion-solicit/demand payment to remove/prevent disclosure of image, etc.: course of conduct</u>	<u>F-3</u>	<u>5</u>	<u>1</u>

<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>
3133(c)(1)	Sexual extortion solicit/demand payment to remove/prevent disclosure of image, etc.: 2nd/subsq	F-3	5	1
3133(c)(2)	Sexual extortion-threaten/disseminate image, etc. & demand payment for removal/prevent disclosure	M-1	3	m
3133(c)(2)	Sexual extortion-threaten/disseminate image, etc. & demand payment for removal/prevent disclosure: victim<18	F-3	6	1
3133(c)(2)	Sexual extortion-threaten/disseminate image, etc. & demand payment for removal/prevent disclosure: intellectual disability	F-3	6	1
3133(c)(2)	Sexual extortion-threaten/disseminate image, etc. & demand payment for removal/prevent disclosure: offender's position	F-3	6	1
3133(c)(2)	Sexual extortion-threaten/disseminate image, etc. & demand payment for removal/prevent disclosure: course of conduct	F-3	5	1
3133(c)(2)	Sexual extortion-threaten/disseminate image, etc. & demand payment for removal/prevent disclosure: 2nd/subsq	F-3	5	1
3301(a)(1)(i)*	Arson endangering persons-danger of death (person in building or BI results)	F-1	10	4
3301(a)(1)(i)*	Arson endangering persons-danger of death (no person in building and no BI)	F-1	9	4
3301(a)(1)(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	15	4
3301(a)(2)	Arson endangering persons-cause death (murder-2nd degree)	Murder of 2nd Degree	15	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	15	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

<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(c)(1)	Arson endangering property-intent to destroy unoccupied bldg	F-2	6	2
3301(c)(2)	Arson endangering property-endangers inhabited building	F-2	6	2
3301(c)(3)	Arson endangering property-intent to collect insurance	F-2	6	2
3301(d)(1)	Arson-reckless burning or exploding (endanger unoccupied bldg)	F-3	5	1
3301(d)(2)	Arson-reckless burning or exploding (endanger property >\$5000)	F-3	5	1
3301(e)(1)	Arson-failure to control/report (duty)	M-1	3	m
3301(e)(2)	Arson-failure to control/report (own property)	M-1	3	m
3301(f)	Arson-possess explosive material (intent to use)	F-3	5	1
3301(g)	Arson-failure to disclose true owner	M-3	1	m
3302(a)	Catastrophe-causing (intentionally)	F-1	10	3
3302(a)	Catastrophe-causing (recklessly)	F-2	6	2
3302(b)	Catastrophe-risking	F-3	4	1
3303(1)	Failure to prevent catastrophe-duty	M-2	2	m
3303(2)	Failure to prevent catastrophe-acted or assented to	M-2	2	m
3304(a)(1)	Criminal mischief-damage prop/intent/reckless/neglig (>\$5,000)	F-3	5	1
3304(a)(1)	Criminal mischief-damage prop/intent/reckless/neglig (>\$1,000)	M-2	2	m
3304(a)(1)	Criminal mischief-damage prop/intent/reckless/neglig (>\$500)	M-3	1	m
3304(a)(2)	Criminal mischief-tamper w/ property (>\$5,000)	F-3	5	1
3304(a)(2)	Criminal mischief-tamper w/ property (>\$1,000)	M-2	2	m
3304(a)(2)	Criminal mischief-tamper w/ property (>\$500)	M-3	1	m
3304(a)(3)	Criminal mischief-cause pecuniary loss (>\$5,000)	F-3	5	1
3304(a)(3)	Criminal mischief-cause pecuniary loss (>\$1,000)	M-2	2	m
3304(a)(3)	Criminal mischief-cause pecuniary loss (>\$500)	M-3	1	m
3304(a)(4)	Criminal mischief-graffiti (>\$5,000)	F-3	5	1
3304(a)(4)	Criminal mischief-graffiti (>\$1,000)	M-2	2	m
3304(a)(4)	Criminal mischief-graffiti (>\$150)	M-3	1	m
3304(a)(5)	Criminal mischief-damage property (>\$5,000)	F-3	5	1
3304(a)(5)	Criminal mischief-damage property (>\$1,000)	M-2	2	m
3304(a)(5)	Criminal mischief-damage property (>\$500)	M-3	1	m
3304(a)(6)	Criminal mischief-paintball (>\$5,000)	F-3	5	1
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

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3307(a)(3)	Institutional vandalism-school (<=\$5,000)	M-2	2	m
3307(a)(3)	Institutional vandalism-cemetery (<=\$5,000)	M-2	2	m
3307(a)(4)	Institutional vandalism-adjacent grounds (>\$5,000 or desecration)	F-3	5	1
3307(a)(4)	Institutional vandalism-adjacent grounds (<=\$5,000)	M-2	2	m
3307(a)(5)	Institutional vandalism-personal property (>\$5,000 or desecration)	F-3	5	1
3307(a)(5)	Institutional vandalism-personal property (<=\$5,000)	M-2	2	m
3307(a.1)	Institutional vandalism-possess marking device on property	M-2	2	m
3309(a)	Agricultural vandalism (>\$5,000)	F-3	5	1
3309(a)	Agricultural vandalism (>\$1,000)	M-1	3	m
3309(a)	Agricultural vandalism (>\$500)	M-2	2	m
3309(a)	Agricultural vandalism (<=\$500)	M-3	1	m
3310(a)	Agricultural crop destruction	F-2	7	2
3311(a)(1)(i)	Ecoterrorism-intimidate individual participation (if off is F-1)	F-1	14	4
3311(a)(1)(i)	Ecoterrorism-intimidate individual participation (if off is F-2)	F-1	one point higher than object offense	See § 303.7(a)
3311(a)(1)(i)	Ecoterrorism-intimidate individual participation (if off is F-3/ungr fel)	F-2	one point higher than object offense	See § 303.7(a)
3311(a)(1)(i)	Ecoterrorism-intimidate individual participation (if off is M-1)	F-3	one point higher than object offense	See § 303.7(a)
3311(a)(1)(i)	Ecoterrorism-intimidate individual participation (if off is M-2)	M-1	one point higher than object offense	See § 303.7(a)
3311(a)(1)(i)	Ecoterrorism-intimidate individual participation (if off is M-3/ungr misd)	M-2	one point higher than object offense	See § 303.7(a)
3311(a)(1)(i)	Ecoterrorism-intimidate individual participation (if off is S)	M-3	one point higher than object offense	See § 303.7(a)
3311(a)(1)(ii)	Ecoterrorism-intimidate individ. using animal/plant/etc. (if off is F-1)	F-1	14	4
3311(a)(1)(ii)	Ecoterrorism-intimidate individ. using animal/plant/etc. (if off is F-2)	F-1	one point higher than object offense	See § 303.7(a)
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)

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3311(a)(1)(ii)	Ecoterrorism-intimidate individ. using animal/plant/etc. (if off is S)	M-3	one point higher than object offense	See § 303.7(a)
3311(a)(2)(i)	Ecoterrorism-obstruct individ. from activity (if off is F-1)	F-1	14	4
3311(a)(2)(i)	Ecoterrorism-obstruct individ. from activity (if off is F-2)	F-1	one point higher than object offense	See § 303.7(a)
3311(a)(2)(i)	Ecoterrorism-obstruct individ. from activity (if off is F-3/ungr fel)	F-2	one point higher than object offense	See § 303.7(a)
3311(a)(2)(i)	Ecoterrorism-obstruct individ. from activity (if off is M-1)	F-3	one point higher than object offense	See § 303.7(a)
3311(a)(2)(i)	Ecoterrorism-obstruct individ. from activity (if off is M-2)	M-1	one point higher than object offense	See § 303.7(a)
3311(a)(2)(i)	Ecoterrorism-obstruct individ. from activity (if off is M-3/ungr misd)	M-2	one point higher than object offense	See § 303.7(a)
3311(a)(2)(i)	Ecoterrorism-obstruct individ. from activity (if off is S)	M-3	one point higher than object offense	See § 303.7(a)
3311(a)(2)(ii)	Ecoterrorism-obstruct individ. using animal/plant/etc. (if off is F-1)	F-1	14	4
3311(a)(2)(ii)	Ecoterrorism-obstruct individ. using animal/plant/etc. (if off is F-2)	F-1	one point higher than object offense	See § 303.7(a)
3311(a)(2)(ii)	Ecoterrorism-obstruct individ. using animal/plant/etc. (if off is F-3/ungr fel)	F-2	one point higher than object offense	See § 303.7(a)
3311(a)(2)(ii)	Ecoterrorism-obstruct individ. using animal/plant/etc. (if off is M-1)	F-3	one point higher than object offense	See § 303.7(a)
3311(a)(2)(ii)	Ecoterrorism-obstruct individ. using animal/plant/etc. (if off is M-2)	M-1	one point higher than object offense	See § 303.7(a)
3311(a)(2)(ii)	Ecoterrorism-obstruct individ. using animal/plant/etc. (if off is M-3)	M-2	one point higher than object offense	See § 303.7(a)
3311(a)(2)(ii)	Ecoterrorism-obstruct individ. using animal/plant/etc. (if off is S)	M-3	one point higher than object offense	See § 303.7(a)
3312(a)(2)	Destruction of survey monument-call boundary into question	M-2	3	m
3313(a)	Illegal dumping of methamphetamine waste	F-3	5	1
3502(a)(1)(i)	Burglary-home/person present and bodily injury crime as defined in 18 Pa.C.S. § 3502(e)	F-1	10	4
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

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3503(a)(1)(i)	Criminal trespass-buildings	F-3	3	1
3503(a)(1)(ii)	Criminal trespass-buildings (break in)	F-2	4	2
3503(b)(1)(i)	Criminal trespass-defiant (notice by communication)	M-3	1	m
3503(b)(1)(ii)	Criminal trespass-defiant (notice posted)	M-3	1	m
3503(b)(1)(iii)	Criminal trespass-defiant (notice by fencing)	M-3	1	m
3503(b)(1)(iv)	Criminal trespass-defiant (notice posted/school grounds)	M-3	1	m
3503(b)(1)(v)	Criminal trespass-defiant (communication/leave school grounds)	M-1	3	m
3503(b.2)(1)(i)	Criminal trespass-agricultural trespass (posted land)	M-3	1	m
3503(b.2)(1)(ii)	Criminal trespass-agricultural trespass (defies order)	M-2	3	m
3503(b.3)(1)(i)	Agricultural biosecurity trespass-enter w/o license	M-3	1	m
3503(b.3)(1)(i)	Agricultural biosecurity trespass-enter w/o license (damage plant/animal)	M-1	3	m
3503(b.3)(1)(ii)	Agricultural biosecurity trespass-fail to perform measure (damage plant/animal)	M-1	3	m
3504(a)(1)(i)	Railroad vandalism to RR property-by disrupting train operation	M-3	1	m
3504(a)(1)(ii)	Railroad vandalism to RR property-by driving vehicle	M-3	1	m
3504(a)(1)(iii)	Railroad vandalism to RR property-by damaging property/equipment	M-3	1	m
3504(b)	Railroad protection-stowaways prohibited	M-3	1	m
3505(a)(3)	Unlawful use of unmanned aircraft: intentionally or knowingly deliver, provide, transmit, furnish contraband	F-2	7	2
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

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3921(a)	Theft by unlaw taking-movable property (\$100,000-<\$500,000)	F-2	7	2
3921(a)*	Theft by unlaw taking-movable property (>\$25,000-<\$100,000/or motorized vehicle)	F-3	6	1
3921(a)*	Theft by unlaw taking-movable property (>\$2,000-\$25,000)	F-3	5	1
3921(a)	Theft by unlaw taking-movable property (<=\$2,000/from indiv./by threat/breach)	M-1	3	m
3921(a)	Theft by unlaw taking-movable property (\$200-\$2,000/no threat)	M-1	3	m
3921(a)	Theft by unlaw taking-movable property (\$50-<\$200/no threat)	M-2	2	m
3921(a)	Theft by unlaw taking-movable property (<\$50/no threat)	M-3	1	m
3921(b)	Theft by unlaw taking-immovable property (anhydrous ammonia)	F-2	8	2
3921(b)	Theft by unlaw taking-immovable property (disaster)	F-2	8	2
3921(b)	Theft by unlaw taking-immovable property (firearm)	F-2	8	2
3921(b)	Theft by unlaw taking-immovable property (=>\$500,000)	F-1	8	3
3921(b)	Theft by unlaw taking-immovable property (\$100,000-<\$500,000)	F-2	7	2
3921(b)*	Theft by unlaw taking-immovable property (>\$25,000-<\$100,000/or motorized vehicle)	F-3	6	1
3921(b)*	Theft by unlaw taking-immovable property (>\$2,000-\$25,000)	F-3	5	1
3921(b)	Theft by unlaw taking-immovable property (<=\$2,000/from indiv./by threat/breach)	M-1	3	m
3921(b)	Theft by unlaw taking-immovable property (\$200-\$2,000/no threat)	M-1	3	m
3921(b)	Theft by unlaw taking-immovable property (\$50-<\$200/no threat)	M-2	2	m
3921(b)	Theft by unlaw taking-immovable property (<\$50/no threat)	M-3	1	m
3922(a)(1)	Theft by deception-false impression (anhydrous ammonia)	F-2	8	2
3922(a)(1)	Theft by deception-false impression (firearm)	F-2	8	2
3922(a)(1)	Theft by deception-false impression (=>\$500,000)	F-1	8	3
3922(a)(1)	Theft by deception-false impression (\$100,000-<\$500,000)	F-2	7	2
3922(a)(1)*	Theft by deception-false impression (>\$25,000-<\$100,000/or motorized vehicle)	F-3	6	1
3922(a)(1)*	Theft by deception-false impression (>\$2,000-\$25,000)	F-3	5	1
3922(a)(1)	Theft by deception-false impression (<=\$2,000/from indiv./by threat/breach)	M-1	3	m
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

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3922(a)(1)	Theft by deception-false impression (<\$50/no threat)	M-3	1	m
3922(a)(2)	Theft by deception-conceal information (anhydrous ammonia)	F-2	8	2
3922(a)(2)	Theft by deception-conceal information (firearm)	F-2	8	2
3922(a)(2)	Theft by deception-conceal information (=>\$500,000)	F-1	8	3
3922(a)(2)	Theft by deception-conceal information (\$100,000-<\$500,000)	F-2	7	2
3922(a)(2)*	Theft by deception-conceal information (>\$25,000-<\$100,000/or motorized vehicle)	F-3	6	1
3922(a)(2)*	Theft by deception-conceal information (>\$2,000-\$25,000)	F-3	5	1
3922(a)(2)	Theft by deception-conceal information (<=\$2,000/from indiv./by threat/breach)	M-1	3	m
3922(a)(2)	Theft by deception-conceal information (\$200-\$2,000/no threat)	M-1	3	m
3922(a)(2)	Theft by deception-conceal information (\$50-<\$200/no threat)	M-2	2	m
3922(a)(2)	Theft by deception-conceal information (<\$50/no threat)	M-3	1	m
3922(a)(3)	Theft by deception-fail to correct (anhydrous ammonia)	F-2	8	2
3922(a)(3)	Theft by deception-fail to correct (firearm)	F-2	8	2
3922(a)(3)	Theft by deception-fail to correct (=>\$500,000)	F-1	8	3
3922(a)(3)	Theft by deception-fail to correct (\$100,000-<\$500,000)	F-2	7	2
3922(a)(3)*	Theft by deception-fail to correct (>\$25,000-<\$100,000/or motorized vehicle)	F-3	6	1
3922(a)(3)*	Theft by deception-fail to correct (>\$2,000-\$25,000)	F-3	5	1
3922(a)(3)	Theft by deception-fail to correct (<=\$2,000/from indiv./by threat/breach)	M-1	3	m
3922(a)(3)	Theft by deception-fail to correct (\$200-\$2,000/no threat)	M-1	3	m
3922(a)(3)	Theft by deception-fail to correct (\$50-<\$200/no threat)	M-2	2	m
3922(a)(3)	Theft by deception-fail to correct (<\$50/no threat)	M-3	1	m
3923(a)(1)	Theft by extortion-commit crime (anhydrous ammonia)	F-2	8	2
3923(a)(1)	Theft by extortion-commit crime (firearm)	F-2	8	2
3923(a)(1)	Theft by extortion-commit crime (=>\$500,000)	F-1	8	3
3923(a)(1)	Theft by extortion-commit crime (\$100,000-<\$500,000)	F-2	7	2
3923(a)(1)*	Theft by extortion-commit crime (>\$25,000-<\$100,000/or motorized vehicle)	F-3	6	1
3923(a)(1)*	Theft by extortion-commit crime (>\$2,000-\$25,000)	F-3	5	1
3923(a)(1)	Theft by extortion-commit crime (<=\$2,000/from indiv./by threat/breach)	M-1	4	m
3923(a)(1)	Theft by extortion-commit crime (\$200-\$2,000/no threat)	M-1	4	m

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3923(a)(1)	Theft by extortion-commit crime (\$50-<\$200/no threat)	M-2	2	m
3923(a)(1)	Theft by extortion-commit crime (<\$50/no threat)	M-3	1	m
3923(a)(2)	Theft by extortion-accuse of crime (anhydrous ammonia)	F-2	8	2
3923(a)(2)	Theft by extortion-accuse of crime (firearm)	F-2	8	2
3923(a)(2)	Theft by extortion-accuse of crime (=>\$500,000)	F-1	8	3
3923(a)(2)	Theft by extortion-accuse of crime (\$100,000-<\$500,000)	F-2	7	2
3923(a)(2)*	Theft by extortion-accuse of crime (>\$25,000-<\$100,000/or motorized vehicle)	F-3	6	1
3923(a)(2)*	Theft by extortion-accuse of crime (>\$2,000-\$25,000)	F-3	5	1
3923(a)(2)	Theft by extortion-accuse of crime (<=\$2,000/from indiv./by threat/breach)	M-1	4	m
3923(a)(2)	Theft by extortion-accuse of crime (\$200-\$2,000/no threat)	M-1	4	m
3923(a)(2)	Theft by extortion-accuse of crime (\$50-<\$200/no threat)	M-2	2	m
3923(a)(2)	Theft by extortion-accuse of crime (<\$50/no threat)	M-3	1	m
3923(a)(3)	Theft by extortion-expose secret (anhydrous ammonia)	F-2	8	2
3923(a)(3)	Theft by extortion-expose secret (firearm)	F-2	8	2
3923(a)(3)	Theft by extortion-expose secret (=>\$500,000)	F-1	8	3
3923(a)(3)	Theft by extortion-expose secret (\$100,000-<\$500,000)	F-2	7	2
3923(a)(3)*	Theft by extortion-expose secret (>\$25,000-<\$100,000/or motorized vehicle)	F-3	6	1
3923(a)(3)*	Theft by extortion-expose secret (>\$2,000-\$25,000)	F-3	5	1
3923(a)(3)	Theft by extortion-expose secret (<=\$2,000/from indiv./by threat/breach)	M-1	4	m
3923(a)(3)	Theft by extortion-expose secret (\$200-\$2,000/no threat)	M-1	4	m
3923(a)(3)	Theft by extortion-expose secret (\$50-<\$200/no threat)	M-2	2	m
3923(a)(3)	Theft by extortion-expose secret (<\$50/no threat)	M-3	1	m
3923(a)(4)	Theft by extortion-official action (anhydrous ammonia)	F-2	8	2
3923(a)(4)	Theft by extortion-official action (firearm)	F-2	8	2
3923(a)(4)	Theft by extortion-official action (=>\$500,000)	F-1	8	3
3923(a)(4)	Theft by extortion-official action (\$100,000-<\$500,000)	F-2	7	2
3923(a)(4)*	Theft by extortion-official action (>\$25,000-<\$100,000/or motorized vehicle)	F-3	6	1
3923(a)(4)*	Theft by extortion-official action (>\$2,000-\$25,000)	F-3	5	1
3923(a)(4)	Theft by extortion-official action (<=\$2,000/from indiv./by threat/breach)	M-1	4	m
3923(a)(4)	Theft by extortion-official action (\$200-\$2,000/no threat)	M-1	4	m
3923(a)(4)	Theft by extortion-official action (\$50-<\$200/no threat)	M-2	2	m

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3923(a)(4)	Theft by extortion-official action (<\$50/no threat)	M-3	1	m
3923(a)(5)	Theft by extortion-strike/boycott (anhydrous ammonia)	F-2	8	2
3923(a)(5)	Theft by extortion-strike/boycott (firearm)	F-2	8	2
3923(a)(5)	Theft by extortion-strike/boycott (=>\$500,000)	F-1	8	3
3923(a)(5)	Theft by extortion-strike/boycott (\$100,000-<\$500,000)	F-2	7	2
3923(a)(5)*	Theft by extortion-strike/boycott (>\$25,000-<\$100,000/or motorized vehicle)	F-3	6	1
3923(a)(5)*	Theft by extortion-strike/boycott (>\$2,000-\$25,000)	F-3	5	1
3923(a)(5)	Theft by extortion-strike/boycott (<=\$2,000/from indiv./by threat/breach)	M-1	4	m
3923(a)(5)	Theft by extortion-strike/boycott (\$200-\$2,000/no threat)	M-1	4	m
3923(a)(5)	Theft by extortion-strike/boycott (\$50-<\$200/no threat)	M-2	2	m
3923(a)(5)	Theft by extortion-strike/boycott (<\$50/no threat)	M-3	1	m
3923(a)(6)	Theft by extortion-testimony (anhydrous ammonia)	F-2	8	2
3923(a)(6)	Theft by extortion-testimony (firearm)	F-2	8	2
3923(a)(6)	Theft by extortion-testimony (=>\$500,000)	F-1	8	3
3923(a)(6)	Theft by extortion-testimony (\$100,000-<\$500,000)	F-2	7	2
3923(a)(6)*	Theft by extortion-testimony (>\$25,000-<\$100,000/or motorized vehicle)	F-3	6	1
3923(a)(6)*	Theft by extortion-testimony (>\$2,000-\$25,000)	F-3	5	1
3923(a)(6)	Theft by extortion-testimony (<=\$2,000/from indiv./by threat/breach)	M-1	4	m
3923(a)(6)	Theft by extortion-testimony (\$200-\$2,000/no threat)	M-1	4	m
3923(a)(6)	Theft by extortion-testimony (\$50-<\$200/no threat)	M-2	2	m
3923(a)(6)	Theft by extortion-testimony (<\$50/no threat)	M-3	1	m
3923(a)(7)	Theft by extortion-inflict harm (anhydrous ammonia)	F-2	8	2
3923(a)(7)	Theft by extortion-inflict harm (firearm)	F-2	8	2
3923(a)(7)	Theft by extortion-inflict harm (=>\$500,000)	F-1	8	3
3923(a)(7)	Theft by extortion-inflict harm (\$100,000-<\$500,000)	F-2	7	2
3923(a)(7)*	Theft by extortion-inflict harm (>\$25,000-<\$100,000/or motorized vehicle)	F-3	6	1
3923(a)(7)*	Theft by extortion-inflict harm (>\$2,000-\$25,000)	F-3	5	1
3923(a)(7)	Theft by extortion-inflict harm (<=\$2,000/from indiv./by threat/breach)	M-1	4	m
3923(a)(7)	Theft by extortion-inflict harm (\$200-\$2,000/no threat)	M-1	4	m
3923(a)(7)	Theft by extortion-inflict harm (\$50-<\$200/no threat)	M-2	2	m
3923(a)(7)	Theft by extortion-inflict harm (<\$50/no threat)	M-3	1	m
3924	Theft of property-lost/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

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3924*	Theft of property-lost/mislaidd (>\$25,000-<\$100,000/or motorized vehicle)	F-3	6	1
3924*	Theft of property-lost/mislaidd (>\$2,000-\$25,000)	F-3	5	1
3924	Theft of property-lost/mislaidd (<=\$2,000/from indiv./by threat/breach)	M-1	3	m
3924	Theft of property-lost/mislaidd (\$200-\$2,000/no threat)	M-1	3	m
3924	Theft of property-lost/mislaidd (\$50-<\$200/no threat)	M-2	2	m
3924	Theft of property-lost/mislaidd (<\$50/no threat)	M-3	1	m
3925(a)	Theft by receiving stolen property (anhydrous ammonia)	F-2	8	2
3925(a)	Theft by receiving stolen property (disaster)	F-2	8	2
3925(a)	Theft by receiving stolen property (firearm/receiver in business)	F-1	9	3
3925(a)	Theft by receiving stolen property (firearm/receiver not in business)	F-2	8	2
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(a)*	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

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3926(a)(1.1)	Theft of services-obtain telecommunications (>=>\$500,000)	F-1	8	3
3926(a)(1.1)	Theft of services-obtain telecommunications (\$100,000-<\$500,000)	F-2	7	2
3926(a)(1.1)*	Theft of services-obtain telecommunications (>\$25,000-<\$100,000/or motorized vehicle)	F-3	6	1
3926(a)(1.1)*	Theft of services-obtain telecommunications (>\$2,000-\$25,000)	F-3	5	1
3926(a)(1.1)	Theft of services-obtain telecommunications (<=\$2,000/from indiv./by threat/breach)	M-1	3	m
3926(a)(1.1)	Theft of services-obtain telecommunications (\$200-\$2,000/no threat)	M-1	3	m
3926(a)(1.1)	Theft of services-obtain telecommunications (\$50-<\$200/no threat)	M-2	2	m
3926(a)(1.1)	Theft of services-obtain telecommunications (<\$50/no threat)	M-2	2	m
3926(b)	Theft of services-divert service (anhydrous ammonia)	F-2	8	2
3926(b)	Theft of services-divert service (firearm)	F-2	8	2
3926(b)	Theft of services-divert service (>=>\$500,000)	F-1	8	3
3926(b)	Theft of services-divert service (\$100,000-<\$500,000)	F-2	7	2
3926(b)*	Theft of services-divert service (>\$25,000-<\$100,000/or motorized vehicle)	F-3	6	1
3926(b)*	Theft of services-divert service (>\$2,000-\$25,000)	F-3	5	1
3926(b)	Theft of services-divert service (<=\$2,000/from indiv./by threat/breach)	M-1	3	m
3926(b)	Theft of services-divert service (\$200-\$2,000/no threat)	M-1	3	m
3926(b)	Theft of services-divert service (\$50-<\$200/no threat)	M-2	2	m
3926(b)	Theft of services-divert service (<\$50/no threat)	M-3	1	m
3926(e)	Theft of services-transfer device/plan	M-3	1	m
3927(a)	Theft by failure-req. disposition funds (anhydrous ammonia)	F-2	8	2
3927(a)	Theft by failure-req. disposition funds (firearm)	F-2	8	2
3927(a)	Theft by failure-req. disposition funds (>=>\$500,000)	F-1	8	3
3927(a)	Theft by failure-req. disposition funds (\$100,000-<\$500,000)	F-2	7	2
3927(a)*	Theft by failure-req. disposition funds (>\$25,000-<\$100,000/or motorized vehicle)	F-3	6	1
3927(a)*	Theft by failure-req. disposition funds (>\$2,000-\$25,000)	F-3	5	1
3927(a)	Theft by failure-req. disposition funds (<=\$2,000/from indiv./by threat/breach)	M-1	3	m
3927(a)	Theft by failure-req. disposition funds (\$200-\$2,000/no threat)	M-1	3	m
3927(a)	Theft by failure-req. disposition funds (\$50-<\$200/no threat)	M-2	2	m
3927(a)	Theft by failure-req. disposition funds (<\$50/no threat)	M-3	1	m

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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
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

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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
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
3935.1(a)	Theft of secondary metal (<\$50)	M-3	1	m
3935.1(a)	Theft of secondary metal (\$50-<\$200)	M-2	2	m
3935.1(a)	Theft of secondary metal (\$200-<\$1,000)	M-1	3	m
3935.1(a)	Theft of secondary metal (\$=>\$1,000)	F-3	5	1
3935.1(a)	Theft of secondary metal (third/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

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

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

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4107(a)(6)	Deceptive business practices-false statement to obtain credit (<\$200/amt unk)	M-2	2	m
4107(a)(6)	Deceptive business practices-false statement to obtain credit (>\$2,000 & victim >=60 yrs)	F-2	7	2
4107(a)(6)	Deceptive business practices-false statement to obtain credit (\$200-\$2,000 & victim >=60 yrs)	F-3	5	1
4107(a)(6)	Deceptive business practices-false statement to obtain credit (<\$200/amt unk & victim >=60 yrs)	M-1	3	m
4107(a)(7)	Deceptive business practices-false statement to sell securities (>\$2,000)	F-3	5	1
4107(a)(7)	Deceptive business practices-false statement to sell securities (\$200-\$2,000)	M-1	3	m
4107(a)(7)	Deceptive business practices-false statement to sell securities (<\$200/amt unk)	M-2	2	m
4107(a)(7)	Deceptive business practices-false statement to sell securities (>\$2,000 & victim >=60 yrs)	F-2	7	2
4107(a)(7)	Deceptive business practices-false statement to sell securities (\$200-\$2,000 & victim >=60 yrs)	F-3	5	1
4107(a)(7)	Deceptive business practices-false statement to sell securities (<\$200/amt unk & victim >=60 yrs)	M-1	3	m
4107(a)(8)	Deceptive business practices-false statement to investor (>\$2,000)	F-3	5	1
4107(a)(8)	Deceptive business practices-false statement to investor (\$200-\$2,000)	M-1	3	m
4107(a)(8)	Deceptive business practices-false statement to investor (<\$200/amt unk)	M-2	2	m
4107(a)(8)	Deceptive business practices-false statement to investor (>\$2,000 & victim >=60 yrs)	F-2	7	2
4107(a)(8)	Deceptive business practices-false statement to investor (\$200-\$2,000 & victim >=60 yrs)	F-3	5	1
4107(a)(8)	Deceptive business practices-false statement to investor (<\$200/amt unk & victim >=60 yrs)	M-1	3	m
4107(a)(9)	Deceptive business practices-false statement via phone (>\$2,000)	F-3	5	1
4107(a)(9)	Deceptive business practices-false statement via phone (\$200-\$2,000)	M-1	3	m
4107(a)(9)	Deceptive business practices-false statement via phone (<\$200/amt unk)	M-2	2	m
4107(a)(9)	Deceptive business practices-false statement via phone (>\$2,000 & victim >=60 yrs)	F-2	7	2
4107(a)(9)	Deceptive business practices-false statement via phone (\$200-\$2,000 & victim >=60 yrs)	F-3	5	1
4107(a)(9)	Deceptive business practices-false statement via phone (<\$200/amt unk & victim >=60 yrs)	M-1	3	m
4107.1(a)	Deception relating to kosher food products	M-3	1	m
4107.2(a)(1)	Deception minority/women's business-fraud to obtain certif.	F-3	4	1
4107.2(a)(2)	Deception minority/women's business-false statement to deny certif.	F-3	4	1
4107.2(a)(3)	Deception minority/women's business-obstruct investigation for certif.	F-3	4	1
4107.2(a)(4)	Deception minority/women's business-fraudulent obtain public money	F-3	4	1

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

<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>
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
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

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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
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

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4121(a)(1)(i)	Possession and use of unlawful device-intent to defraud (access, read, etc)	F-3	5	1
4121(a)(1)(i)	Possession and use of unlawful device-intent to defraud (access, read, etc.) (2nd/subsq offense)	F-2	7	2
4121(a)(1)(ii)	Possession and use of unlawful device-intent to defraud (places information)	F-3	5	1
4121(a)(1)(ii)	Possession and use of unlawful device-intent to defraud (places information) (2nd/subsq offense)	F-2	7	2
4121(a)(2)	Possession and use of unlawful device-knowingly possesses, sells or delivers device	F-3	5	1
4121(a)(2)	Possession and use of unlawful device-knowingly possesses, sells or delivers device (2nd/subsq offense)	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 (child <6 yrs)	F-3	6	1
4304(a)(1)	Endangering welfare of children-violate duty of care (course of conduct)	F-3	6	1
4304(a)(1)	Endangering welfare of children-violate duty of care (course of conduct & child <6 yrs)	F-2	8	2
4304(a)(1)	Endangering welfare of children-violate duty of care: substantial risk of death/SBI	F-3	6	1
4304(a)(1)	Endangering welfare of children-violate duty of care: substantial risk of death/SBI (child < 6 yrs)	F-2	8	2
4304(a)(1)	Endangering welfare of children-violate duty of care: substantial risk of death/SBI (course of conduct)	F-2	8	2
4304(a)(1)	Endangering welfare of children-violate duty of care: substantial risk of death/SBI (course of conduct & child < 6 yrs)	F-1	9	3
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 (child <6 yrs)	F-3	6	1
4304(a)(2)	Endangering welfare of children-official prevents/interferes w/ reporting (course of conduct)	F-3	6	1
4304(a)(2)	Endangering welfare of children-official prevents/interferes w/ reporting (course of conduct & child <6 yrs)	F-2	8	2
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

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4701(a)(3)	Bribery in official & political matters-benefit for legal duty as public servant	F-3	5	1
4702(a)(1)	Threats-to influence decision as public servant	M-2	2	m
4702(a)(1)	Threats-to influence decision as public servant (threat to commit crime)	F-3	5	1
4702(a)(2)	Threats-to influence decision in judicial/admin. proceedings	M-2	2	m
4702(a)(2)	Threats-to influence decision in judicial/admin. proceedings (threat to commit crime)	F-3	5	1
4702(a)(3)	Threats-harm for legal duty as public servant	M-2	2	m
4702(a)(3)	Threats-harm for legal duty as public servant (threat to commit crime)	F-3	5	1
4703	Retaliation for past official action	M-2	2	m
4902(a)	Perjury	F-3	5	1
4903(a)(1)	False swearing in official matters-in official proceeding	M-2	2	m
4903(a)(2)	False swearing in official matters-to mislead public servant	M-2	2	m
4903(b)	False swearing-statement required to be sworn	M-3	1	m
4904(a)(1)	Unsworn falsification to authorities-written statement	M-2	2	m
4904(a)(2)	Unsworn falsification to authorities-relies on false writing	M-2	2	m
4904(a)(3)	Unsworn falsification to authorities-relies on false specimen/map/boundary, etc.	M-2	2	m
4904(b)	Unsworn falsification to authorities-statement under penalty	M-3	1	m
4905(a)	False alarms to agency of public safety	M-1	3	m
4905(a)	False alarms to agency of public safety (state of emergency)	F-3	5	1
4906(a)	False reports-falsely incriminate another	M-2	2	m
4906(a)	False reports-falsely incriminate another (report of theft/loss of firearm)	M-1	3	m
4906(a)	False reports-falsely incriminate another (state of emergency)	M-1	3	m
4906(b)(1)	False reports-fictitious report to law enforcement	M-3	1	m
4906(b)(1)	False reports-fictitious report to law enforcement (report of theft/loss of firearm)	M-2	2	m
4906(b)(1)	False reports-fictitious report to law enforcement (state of emergency)	M-2	2	m
4906(b)(2)	False reports-fictitious report of information	M-3	1	m
4906(b)(2)	False reports-fictitious report of information (report of theft/loss of firearm)	M-2	2	m
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

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4911(a)(1)	Tampering w/ public records-false entry/govt. doc. (to defraud)	F-3	4	1
4911(a)(2)	Tampering w/ public records-presenting false document	M-2	2	m
4911(a)(2)	Tampering w/ public records-presenting false document (to defraud)	F-3	4	1
4911(a)(3)	Tampering w/ public records-intent to impair doc. availability	M-2	2	m
4911(a)(3)	Tampering w/ public records-intent to impair doc. availability (to defraud)	F-3	4	1
4912	Impersonating a public servant	M-2	2	m
4913(a)	Impersonating a notary public	M-2	2	m
4913(a)	Impersonating a notary public (intent to harm/defraud)	M-1	3	m
4913(a)	Impersonating a doctor of medicine (provides medical advice or treatment)	M-1	3	m
4914(a)	False identification to law enforcement authorities	M-3	1	m
4915.1(a)(1)	Fail to register with PSP-15 yr. registration (1st off)	F-3	6	1
4915.1(a)(1)	Fail to register with PSP-15 yr. registration (2nd/subsq off)	F-2	8	2
4915.1(a)(1)	Fail to register with PSP-25 yr. registration (1st off)	F-2	8	2
4915.1(a)(1)	Fail to register with PSP-25 yr. registration (2nd/subsq off)	F-1	10	3
4915.1(a)(1)	Fail to register with PSP-lifetime registration (1st off)	F-2	8	2
4915.1(a)(1)	Fail to register with PSP-lifetime registration (2nd/subsq off)	F-1	10	3
4915.1(a)(2)	Fail to verify address/be photo'd-15 yr. registration (1st off)	F-3	6	1
4915.1(a)(2)	Fail to verify address/be photo'd-15 yr. registration (2nd/subsq off)	F-2	8	2
4915.1(a)(2)	Fail to verify address/be photo'd-25 yr. registration (1st off)	F-2	8	2
4915.1(a)(2)	Fail to verify address/be photo'd-25 yr. registration (2nd/subsq off)	F-1	10	3
4915.1(a)(2)	Fail to verify address/be photo'd-lifetime registration (1st off)	F-2	8	2
4915.1(a)(2)	Fail to verify address/be photo'd-lifetime registration (2nd/subsq off)	F-1	10	3
4915.1(a)(3)	Fail to provide accurate information-15 yr. registration	F-2	8	2
4915.1(a)(3)	Fail to provide accurate information-25 yr. registration	F-1	10	3
4915.1(a)(3)	Fail to provide accurate information-lifetime registration	F-1	10	3
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

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4915.1(a.1)(1)	Fail to register with PSP: transient-25 yr. registration (2nd/subsq off)	F-1	10	3
4915.1(a.1)(1)	Fail to register with PSP: transient-lifetime registration (1st off)	F-2	8	2
4915.1(a.1)(1)	Fail to register with PSP: transient-lifetime registration (2nd/subsq off)	F-1	10	3
4915.1(a.1)(2)	Fail to verify address/be photo'd: transient-15 yr. registration (1st off)	F-3	6	1
4915.1(a.1)(2)	Fail to verify address/be photo'd: transient-15 yr. registration (2nd/subsq off)	F-2	8	2
4915.1(a.1)(2)	Fail to verify address/be photo'd: transient-25 yr. registration (1st off)	F-2	8	2
4915.1(a.1)(2)	Fail to verify address/be photo'd: transient-25 yr. registration (2nd/subsq off)	F-1	10	3
4915.1(a.1)(2)	Fail to verify address/be photo'd: transient-lifetime registration (1st off)	F-2	8	2
4915.1(a.1)(2)	Fail to verify address/be photo'd: transient-lifetime registration (2nd/subsq off)	F-1	10	3
4915.1(a.1)(3)	Fail to provide accurate info.: transient-15 yr. registration	F-2	8	2
4915.1(a.1)(3)	Fail to provide accurate info.: transient-25 yr. registration	F-1	10	3
4915.1(a.1)(3)	Fail to provide accurate info.: transient-lifetime registration	F-1	10	3
4915.1(a.2)(1)	Fail to comply w/ SVP outpatient review/counseling	M-1	5	m
4915.1(a.2)(2)	Fail to comply w/ counseling req. from other jurisdiction	M-1	5	m
4915.2(a)(1)	Fail to register-10 year registration	F-3	6	1
4915.2(a)(1)	Fail to register-10 year registration (2nd/subsq off)	F-2	8	2
4915.2(a)(1)	Fail to register-lifetime registration	F-2	8	2
4915.2(a)(1)	Fail to register-lifetime registration (2nd/subsq off)	F-1	10	3
4915.2(a)(2)	Fail to verify address/be photographed-10 year registration	F-3	6	1
4915.2(a)(2)	Fail to verify address/be photographed-10 year registration (2nd/subsq off)	F-2	8	2
4915.2(a)(2)	Fail to verify address/be photographed-lifetime registration	F-2	8	2
4915.2(a)(2)	Fail to verify address/be photographed-lifetime registration (2nd/subsq off)	F-1	10	3
4915.2(a)(3)	Fail to provide accurate information-10 year registration	F-2	8	2
4915.2(a)(3)	Fail to provide accurate information-lifetime registration	F-1	10	3
4915.2(a.1)(1)	Fail to comply with SVP counseling requirements	M-1	5	m
4915.2(a.1)(2)	Fail to comply with SVP counseling requirements (another 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

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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
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

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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
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

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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
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
5103.1	Use or operate device to capture, record, etc. photograph, video, etc. of proceeding or person in judicial facility or area	M-2	2	m
5103.1	Use or operate device to capture, record, etc. photograph, video, etc. of proceeding or person in judicial facility or area (2nd/subsq)	M-1	3	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

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5105(a)(4)	Hindering apprehension-warn of apprehension	M-2	2	m
5105(a)(4)	Hindering apprehension-warn of apprehension (charge is F1/F2)	F-3	4	1
5105(a)(5)	Hindering apprehension-false info. to law enforcement ofc.	M-2	2	m
5105(a)(5)	Hindering apprehension-false info. to law enforcement ofc. (charge is F1/F2)	F-3	4	1
5107(a)	Aiding consummation of crime	M-2	2	m
5107(a)	Aiding consummation of crime (principal off is F1/F2)	F-3	5	1
5108(a)	Compounding	M-2	2	m
5109	Barratry-vex with unjust/vexatious suits	M-3	1	m
5110	Contempt of General Assembly	M-3	1	m
5111(a)(1)	Dealing in proceeds of unlawful activities-intent to promote act	F-1	8	3
5111(a)(2)	Dealing in proceeds of unlawful activities-designed to conceal proceeds	F-1	8	3
5111(a)(3)	Dealing in proceeds of unlawful activities-avoid transaction report req.	F-1	8	3
5112(a)	Obstructing emergency services	M-3	1	m
5121(a)	Permitting/facilitating escape	M-2	3	m
5121(a)	Escape	M-2	3	m
5121(a)*	Escape (from: halfway house, pre-release ctr., treatment ctr., work-release ctr., work-release, or failure to return from an authorized leave/furlough)	F-3	5	1
5121(a)*	Escape (all other specified escapes)	F-3	6	1
5121(a)*	Permitting/facilitating escape (from: halfway house, pre-release ctr., treatment ctr., work-release ctr., work-release, or failure to return from an authorized leave/furlough)	F-3	5	1
5121(a)*	Permitting/facilitating escape (all other specified escapes)	F-3	6	1
5122(a)(1)	Weapons/implements for escape-provide to inmate	M-1	8	m
5122(a)(2)	Weapons/implements for escape-possession by inmate	M-1	4	m
5123(a)	Contraband-provide controlled substance to inmate	F-2	7	2
5123(a.2)	Contraband-possession of controlled substance by inmate	F-2	7	2
5123(b)	Contraband-provide money to inmate	M-3	1	m
5123(c)	Contraband-provide other contraband to inmate	M-1	3	m
5123(c.1)	Contraband-provide telecom. device to inmate	M-1	5	m
5123(c.2)	Contraband-possession of telecom. device by inmate	M-1	3	m
5124(a)	Default in required appearance (felony)	F-3	4	1
5124(a)	Default in required appearance (non-felony)	M-2	2	m
5125	Absconding witness	M-3	1	m
5126(a)	Flight to avoid apprehension (felony)	F-3	5	1
5126(a)	Flight to avoid apprehension (misd.)	M-2	2	m
5131(a)(1)	Recruiting criminal gang member-solicit/cause/attempt cause (recruitee >=16 yrs)	M-2	2	m

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5131(a)(1)	Recruiting criminal gang member-solicit/cause/attempt cause (recruitee <16 yrs)	M-1	3	1
5131(a)(2)	Recruiting criminal gang member-inflict BI/physical menace/force (recruitee >=16 yrs)	M-1	3	1
5131(a)(2)	Recruiting criminal gang member-inflict BI/physical menace/force (recruitee <16 yrs)	F-3	5	1
5131(a)(3)	Recruiting criminal gang member-inflict SBI (recruitee >=16 yrs)	F-3	5	1
5131(a)(3)	Recruiting criminal gang member-inflict SBI (recruitee <16 yrs)	F-2	7	2
5301(1)	Official oppression-subjects another to arrest, etc.	M-2	2	m
5301(2)	Official oppression-denies another enjoyment of rights	M-2	2	m
5302(1)	Speculating/wagering on official action-acquires pecuniary interest	M-2	2	m
5302(2)	Speculating/wagering on official action-speculates on information	M-2	2	m
5302(3)	Speculating/wagering on official action-aids another	M-2	2	m
5501(1)	Riot-intent to commit felony/misd.	F-3	4	1
5501(2)	Riot-intent to prevent/coerce official action	F-3	4	1
5501(3)	Riot-actor/other plans to use deadly weapon	F-3	4	1
5502	Failure to disperse upon official order	M-2	2	m
5503(a)(1)	Disorderly conduct-frightening/threatening behavior (substantial harm/persist after warning)	M-3	1	m
5503(a)(2)	Disorderly conduct-unreasonable noise (substantial harm/persist after warning)	M-3	1	m
5503(a)(3)	Disorderly conduct-obscene language (substantial harm/persist after warning)	M-3	1	m
5503(a)(4)	Disorderly conduct-hazardous condition (substantial harm/persist after warning)	M-3	1	m
5506	Loitering and prowling at night time	M-3	1	m
5507(a)	Obstructing highway, etc.-after warning	M-3	1	m
5508	Disrupting meetings and processions	M-3	1	m
5509(a)(1)	Desecration of venerated objects-intentional (public monument, etc.)	M-2	2	m
5509(a)(2)	Desecration of venerated objects-intentional (object of veneration)	M-2	2	m
5509(a)(3)	Desecration of venerated objects-sell veteran's marker	M-2	2	m
5509(a.1)	Desecration of venerated objects-historic burial lots	M-1	3	m
5510	Abuse of corpse	M-2	3	m
5532(a)(1)*	Neglect of animal-fails to provide sustenance/water (cause BI/risk SBI)	M-3	1	m
5532(a)(1)*	Neglect of animal-violates 5536 tethering an unattended dog (cause BI/risk SBI)	M-3	1	m
5532(a)(2)	Neglect of animal-fails to provide shelter (cause BI/risk SBI)	M-3	1	m
5532(a)(3)	Neglect of animal-fails to provide veterinary care (cause BI/risk SBI)	M-3	1	m

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5533(a)*	Cruelty to animal-abuse, abandon, etc. (cause BI/risk SBI)	M-2	2	m
5533(a)*	Cruelty to animal-abuse, abandon, etc.: violates 5542(a) animal mutilation cropping of ear (cause BI/risk SBI)	M-2	2	m
5533(a)*	Cruelty to animal-abuse, abandon, etc.: violates 5542(b) animal mutilation debarking (cause BI/risk SBI)	M-2	2	m
5533(a)*	Cruelty to animal-abuse, abandon, etc.: violates 5542(c) animal mutilation docking of tail (cause BI/risk SBI)	M-2	2	m
5533(a)*	Cruelty to animal-abuse, abandon, etc.: violates 5542(d) animal mutilation surgical birth (cause BI/risk SBI)	M-2	2	m
5533(a)*	Cruelty to animal-abuse, abandon, etc.: violates 5542(e) animal mutilation dewclawing (cause BI/risk SBI)	M-2	2	m
5534(a)(1)	Aggravated cruelty to animal-tortures animal	F-3	5	1
5534(a)(2)*	Aggravated cruelty to animal-violates 5532 (cause SBI/death)	F-3	6	1
5534(a)(2)*	Aggravated cruelty to animal-violates 5533 (cause SBI/death)	F-3	6	1
5535(a)	Attack of service, guide, or support dog	M-3	1	m
5539	Transporting equine animals in cruel manner (2nd/subsq)	M-3	1	m
5543(1)	Animal fighting (for amusement/gain)	F-3	5	1
5543(2)	Animal fighting (receives compensation)	F-3	5	1
5543(3)	Animal fighting (owns fighting animal)	F-3	5	1
5543(4)	Animal fighting (encourage/aid/assist)	F-3	5	1
5543(5)	Animal fighting (wagers on fight outcome)	F-3	5	1
5543(6)	Animal fighting (pays admission)	F-3	5	1
5543(7)	Animal fighting (permits use of animal for fight)	F-3	5	1
5544	Possession of animal fighting paraphernalia	M-3	1	m
5548(a)	Police animals-illegal to taunt	F-3	5	1
5548(b)	Police animals-illegal to torture	F-2	7	2
5549(a)	Assault with biological agent on animal/fowl/honey bees	F-2	7	2
5512(b)(1)	Lotteries-set up unlawful game	M-1	3	m
5512(b)(2)	Lotteries-manuf./etc. unlawful tickets	M-1	3	m
5512(b)(3)	Lotteries-publish advertisement	M-1	3	m
5513(a)(1)	Gambling devices-intentionally makes gambling device	M-1	3	m
5513(a)(2)	Gambling devices-allows assemble for gambling	M-1	3	m
5513(a)(3)	Gambling devices-solicits/invites person for gambling	M-1	3	m
5513(a)(4)	Gambling devices-allows gambling on premises	M-1	3	m
5513(a.1)(1)	Gambling devices-electronic video monitor: indirect or direct consideration	M-1	3	m
5513(a.1)(2)	Gambling devices-electronic video monitor: player eligible for prize	M-1	3	m
5514(1)	Pool selling and bookmaking-engage in	M-1	3	m

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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
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

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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
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

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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
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

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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 or drug felony (loaded/ammo available) ((a.1)(1))	F-2	10	2
6105(a)(1)*	Firearms-persons not to possess: convicted of enumerated felony or drug felony (loaded/ammo available) ((a.1)(1)) (previous conviction)	F-1	11	3
6105(a)(1)*	Firearms-persons not to possess: convicted of enumerated felony or drug felony (loaded/ammo available) ((a.1)(1)) (possession/control of firearm or within reach)	F-1	11	3
6105(a)(1)*	Firearms-persons not to possess: convicted of enumerated felony or drug felony (unloaded/no ammo available) ((a.1)(1))	F-2	9	2
6105(a)(1)*	Firearms-persons not to possess: convicted of enumerated felony or drug felony (unloaded/no ammo available) ((a.1)(1)) (previous conviction)	F-1	10	3

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6105(a)(1)*	Firearms-persons not to possess: convicted of enumerated felony or drug felony (unloaded/no ammo available) ((a.1)(1)) (possession/control of firearm or within reach)	F-1	10	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 ((a.1)(2))	M-2	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 misdemeanor (loaded/ammo available) ((c)(2))	M-1	6	1
6105(a)(1)*	Firearms-persons not to possess: convicted of drug misdemeanor (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
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

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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
6105.2(a)(1)	Firearms-persons not to possess: relinquishment of firearms/licenses by convicted persons	M-2	4	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
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

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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
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

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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-2	10	2
6312(c)*	Sexual abuse of children-dissemination: when indecent contact depicted (<13 yrs or determination of prepubescence) (1st offense)	F-2	9	2
6312(c)*	Sexual abuse of children-dissemination: indecent contact depicted (<13 yrs or determination of prepubescence) (2nd/subsq offense)	F-2	10	2

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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-2	10	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-2	10	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
6318(a)(4)	Unlaw. contact w/ minor-sexual materials [underlying offense <F-3]	F-3	6	1

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
6318(a)(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
6701(b)(1)	Misrepresentation of military service	M-3	1	m
6701(b)(2)	Misrepresentation of military honors	M-3	1	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

<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>
7107(a)(3)	Unlawf. action by athlete agent-agreement w/ univ. employee for referral	M-1	3	m
7302(a)	Sale of solidified alcohol	M-2	2	m
7302(b)	Labeling of solidified alcohol	M-1	3	m
7303(a)	Sale/illegal use of certain solvents-smell/inhale toxic subst	M-3	1	m
7303(c)	Sale/illegal use of certain solvents-possess solvent for toxic vapors	M-3	1	m
7303(d)	Sale/illegal use of certain solvents-sell solvent for toxic vapors	M-3	1	m
7306(a)	Incendiary devices	M-1	3	m
7307	Out-of-state convict made goods-sell/exchange	M-2	2	m
7308(a)	Unlawful advertising of insurance business	M-2	2	m
7309(a)	Unlawful coercion in contracting insurance	M-1	3	m
7310(a)	Furnishing free insurance as inducement for purchase	M-3	1	m
7311(a)	Unlawful collection agency practices-assignment of claims	M-3	1	m
7311(b)	Unlawful collection agency practices-appearance for creditor	M-3	1	m
7311(b.1)	Unlawful collection agency practices-unfair/deceptive methods	M-3	1	m
7311(c)	Unlawful collection agency practices-unlaw. furnish legal services	M-3	1	m
7311(d)	Unlawful collection agency practices-unlaw. service for debtor	M-3	1	m
7311(e)	Unlawful collection agency practices-unlaw. solicit job for attorney	M-3	1	m
7311(f)	Unlawful collection agency practices-unlaw. coercion/intimidation	M-3	1	m
7312(a)	Debt pooling	M-3	1	m
7313(a)	Buying/exchanging SNAP benefits (>=\$1,000)	F-3	5	1
7313(a)	Buying/exchanging SNAP benefits (<\$1,000)	M-1	3	m
7314(a)	Fraudulent traffic in SNAP benefits (>=\$2,500)	F-2	7	2
7314(a)	Fraudulent traffic in SNAP benefits (\$1,000-<\$2,500)	F-3	5	1
7314(a)	Fraudulent traffic in SNAP benefits (<\$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

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

<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>
7622	Duty of internet provider-disable child porn access (2nd off)	M-2	2	m
7622	Internet service provider-disable child porn access (3rd/subsq off)	F-3	5	1
7641(a)	Computer-assisted remote harvesting of animals	M-3	1	m
7661(a)(1)	Unlaw. transmis. email-forge/falsify	M-3	1	m
7661(a)(1)	Unlaw. transmis. email-forge/falsify (malicious damage; >=\$2500)	F-3	7	1
7661(a)(1)	Unlaw. transmis. email-forge/falsify (reckless damage; >=\$2500)	M-1	5	m
7661(a)(2)(i)	Unlaw. transmis. email-sell software to falsify	M-3	1	m
7661(a)(2)(i)	Unlaw. transmis. email-sell software to falsify (malicious damage; >=\$2500)	F-3	7	1
7661(a)(2)(i)	Unlaw. transmis. email-sell software to falsify (reckless damage; >=\$2500)	M-1	5	m
7661(a)(2)(ii)	Unlaw. transmis. email-sell software w/ limited purpose	M-3	1	m
7661(a)(2)(ii)	Unlaw. transmis. email-sell software w/ limited purpose (malicious damage; >=\$2500)	F-3	7	1
7661(a)(2)(ii)	Unlaw. transmis. email-sell software w/ limited purpose (reckless damage; >=\$2500)	M-1	5	m
7661(a)(2)(iii)	Unlaw. transmis. email-sell software known to falsify	M-3	1	m
7661(a)(2)(iii)	Unlaw. transmis. email-sell software known to falsify (malicious damage; >=\$2500)	F-3	7	1
7661(a)(2)(iii)	Unlaw. transmis. email-sell software known to falsify (reckless damage; >=\$2500)	M-1	5	m
7702(1)	Owning/operating/conducting a chop shop	F-2	7	2
7702(2)	Owning/operating/conducting a chop shop-transfer/sell vehicle	F-2	7	2
7703	Altered or illegally obtained property-veh ID num	F-3	5	1
7704	Altered or illegally obtained property-disposition	F-3	5	1

*=subcategorized offenses. See § 303.3(b).
 m=other misdemeanor offense. See § 303.7(a)(5).
 Inchoates=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)	Failure to report or to refer suspected child 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] F-3	[3] 5	[m] 1
6319(b)	Failure to report or to refer suspected child abuse-continuing course of action (child abuse if F-1 or higher)	[F-3] F-2	[5] 7	[1] 2

<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>
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 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

<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)(2)	Oper. watercraft under influence-general impairment: BAC .08-<.10 (1st off)	M	1	m
5502(a)(2)	Oper. watercraft under influence-general impairment: BAC .08-<.10 (2nd off)	M	1	1
5502(a)(2)	Oper. watercraft under influence-general impairment: BAC .08-<.10 (3rd/subsq off)	M-2	3	1
5502(a.2)	Oper. watercraft under influence-highest rate of alcohol: BAC >=.16 (1st off)	M	1	m
5502(a.2)	Oper. watercraft under influence-highest rate of alcohol: BAC >=.16 (2nd off)	M-1	5	1
5502(a.2)	Oper. watercraft under influence-highest rate of alcohol: BAC >=.16 (3rd/subsq off)	M-1	5	1
5502(a.3)(1)(i)	Oper. watercraft under influence-controlled substances: Sched I (1st off)	M	1	m
5502(a.3)(1)(i)	Oper. watercraft under influence-controlled substances: Sched I (2nd off)	M-1	5	1
5502(a.3)(1)(i)	Oper. watercraft under influence-controlled substances: Sched I (3rd/subsq off)	M-1	5	1
5502(a.3)(1)(ii)	Oper. watercraft under influence-controlled substances: Sched II/III (1st off)	M	1	m
5502(a.3)(1)(ii)	Oper. watercraft under influence-controlled substances: Sched II/III (2nd off)	M-1	5	1
5502(a.3)(1)(ii)	Oper. watercraft under influence-controlled substances: Sched II/III (3rd/subsq off)	M-1	5	1
5502(a.3)(1)(iii)	Oper. watercraft under influence-controlled substances: metabolite of Sched I/II/III (1st off)	M	1	m
5502(a.3)(1)(iii)	Oper. watercraft under influence-controlled substances: metabolite of Sched I/II/III (2nd off)	M-1	5	1
5502(a.3)(1)(iii)	Oper. watercraft under influence-controlled substances: metabolite of Sched I/II/III (3rd/subsq off)	M-1	5	1
5502(a.3)(2)	Oper. watercraft under influence-controlled substances & incapable of safe operation (1st off)	M	1	m
5502(a.3)(2)	Oper. watercraft under influence-controlled substances & incapable of safe operation (2nd off)	M-1	5	1
5502(a.3)(2)	Oper. watercraft under influence-controlled substances & incapable of safe operation (3rd/subsq off)	M-1	5	1
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

<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.4)	Oper. watercraft under influence-minor operator (1st off)	M	1	m
5502(a.4)	Oper. watercraft under influence-minor operator (2nd off)	M	1	1
5502(a.4)	Oper. watercraft under influence-minor operator (3rd off)	M-1	5	1
5502(a.4)	Oper. watercraft under influence-minor operator (4th/subsq off)	M-1	5	1
5502.1(a)	Homicide by watercraft while operating under influence	F-2	10	2
5502.2*	Homicide by watercraft (when there is a conviction for operating under the influence)	M-1	8	1
5502.2*	Homicide by watercraft (when there is not a conviction for operating under the influence)	M-1	6	1
5502.3(a)	Aggravated assault by watercraft while operating under influence	F-2	7	2
5507(a)	Duties of operators involved in boating accidents-stop	M-1	3	m
5507(a)	Duties of operators involved in boating accidents-stop (death)	F-3	5	1
5507(b)	Duties of operators involved in boating accidents-give information	M-1	3	m
5507(b)	Duties of operators involved in boating accidents-give information (death)	F-3	5	1
5507(c)	Duties of operators involved in boating accidents-render aid	M-1	3	m
5507(c)	Duties of operators involved in boating accidents-render aid (death)	F-3	5	1
5507(d)	Duties of operators involved in boating accidents-stay	M-1	3	m
5507(d)	Duties of operators involved in boating accidents-stay (death)	F-3	5	1

*=subcategorized offenses. See § 303.3(b)

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

GAME

<i>34 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>
2314(a)(2)	Trespass on private property while hunting-no authorization; defies order (2nd/subsq off)	M	2	m

*=subcategorized offenses. See § 303.3(b)

DRUG ACT OFFENSES

<i>35 P.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

<i>35 P.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 (2nd/subsq off)	M	4	m
(a)(2)	Adulterate/misbrand-controlled substance (1st off)	M	4	m
(a)(2)	Adulterate/misbrand-controlled substance (2nd/subsq off)	M	4	m
(a)(3)	False/misleading advertisement (1st off)	M	4	m
(a)(3)	False/misleading advertisement (2nd/subsq off)	M	4	m
(a)(4)	Removal/disposal-detained substance (1st off)	M	5	m
(a)(4)	Removal/disposal-detained substance (2nd/subsq off)	M	5	m
(a)(5)	Adulterate/destroy label-controlled substance for sale (1st off)	M	4	m
(a)(5)	Adulterate/destroy label-controlled substance for sale (2nd/subsq off)	M	4	m
(a)(6)	Forge/counterfeit w/ mark/ID symbol (1st off)	M	5	m
(a)(6)	Forge/counterfeit w/ mark/ID symbol (2nd/subsq off)	M	5	m
(a)(7)	Place trademark on controlled substance to defraud (1st off)	M	5	m
(a)(7)	Place trademark on controlled substance to defraud (2nd/subsq off)	M	5	m
(a)(8)	Selling controlled substance w/ defrauded trademark (1st off)	M	5	m
(a)(8)	Selling controlled substance w/ defrauded trademark (2nd/subsq off)	M	5	m
(a)(9)	Selling trademark equipment to defraud (1st off)	M	5	m
(a)(9)	Selling trademark equipment to defraud (2nd/subsq off)	M	5	m
(a)(10)	Illegal sale of nonproprietary drug (1st off)	M	4	m
(a)(10)	Illegal sale of nonproprietary drug (2nd/subsq off)	M	4	m
(a)(11)	Illegal pharmacy operations (1st off)	M	5	m
(a)(11)	Illegal pharmacy operations (2nd/subsq off)	M	5	m
(a)(12)*	Acquisition of controlled substance by fraud-heroin (>1000 g)	F	13	3
(a)(12)*	Acquisition of controlled substance by fraud-heroin (100-1000 g)	F	11	3
(a)(12)*	Acquisition of controlled substance by fraud-heroin (50-<100 g)	F	10	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

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

<i>35 P.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-MDMA (>1000 g)	F	13	3
(a)(12)*	Acquisition of controlled substance by fraud-MDMA (100-1000 g)	F	11	3
(a)(12)*	Acquisition of controlled substance by fraud-MDMA (50-<100 g)	F	10	3
(a)(12)*	Acquisition of controlled substance by fraud-MDMA (10-<50 g)	F	8	2
(a)(12)*	Acquisition of controlled substance by fraud-MDMA (2.5-<10 g)	F	7	2
(a)(12)*	Acquisition of controlled substance by fraud-MDMA (<2.5 g)	F	6	2
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (>1000 lbs.)	F	10	3
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (>5000 plants)	F	10	3
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (50-1000 lbs.)	F	8	2
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (51-5000 plants)	F	8	2
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (10-<50 lbs.)	F	7	2
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (21-<51 plants)	F	7	2
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (1-<10 lbs.)	F	5	2
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (10-<21 plants)	F	5	2
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (<1 lb.)	F	3	2
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (<10 plants)	F	3	2
(a)(12)*	Acquisition of controlled substance by fraud-Sched I	F	5	2
(a)(12)*	Acquisition of controlled substance by fraud-Sched II	F	5	2
(a)(12)*	Acquisition of controlled substance by fraud-Sched III	F	5	2
(a)(12)*	Acquisition of controlled substance by fraud-Sched IV	F	5	2
(a)(12)*	Acquisition of controlled substance by fraud-Sched V	M	3	m
(a)(13)	Dispense drugs to dependent person (1st off)	M	4	m
(a)(13)	Dispense drugs to dependent person (2nd/subsq off)	M	4	m
(a)(14)*	Delivery by practitioner-heroin (>1000 g)	F	13	3
(a)(14)*	Delivery by practitioner-heroin (100-1000 g)	F	11	3
(a)(14)*	Delivery by practitioner-heroin (50-<100 g)	F	10	3
(a)(14)*	Delivery by practitioner-heroin (10-<50 g)	F	8	2
(a)(14)*	Delivery by practitioner-heroin (1-<10 g)	F	7	2
(a)(14)*	Delivery by practitioner-heroin (<1 g)	F	6	2
(a)(14)*	Delivery by practitioner-fentanyl and its derivatives and analogues (>=100 g)	F	14	3

<i>35 P.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-fentanyl and its derivatives and analogues (50-<100 g)	F	13	3
(a)(14)*	Delivery by practitioner-fentanyl and its derivatives and analogues (10-<50 g)	F	11	2
(a)(14)*	Delivery by practitioner-fentanyl and its derivatives and analogues (1-<10 g)	F	10	2
(a)(14)*	Delivery by practitioner-fentanyl and its derivatives and analogues (<1 g)	F	8	2
(a)(14)*	Delivery by practitioner-other narcotics Sched I & II (>1000 g)	F	13	3
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (>1000 pills)	F	13	3
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (100-1000 g)	F	11	3
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (100-1000 pills)	F	11	3
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (50-<100 g)	F	10	3
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (50-<100 pills)	F	10	2
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (10-<50 g)	F	8	2
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (10-<50 pills)	F	8	2
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (1-<10 g)	F	7	2
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (1-<10 pills)	F	7	2
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (<1 g)	F	6	2
(a)(14)*	Delivery by practitioner-cocaine (>1000 g)	F	13	3
(a)(14)*	Delivery by practitioner-cocaine (100-1000 g)	F	11	3
(a)(14)*	Delivery by practitioner-cocaine (50-<100 g)	F	10	3
(a)(14)*	Delivery by practitioner-cocaine (10-<50 g)	F	8	2
(a)(14)*	Delivery by practitioner-cocaine (5-<10 g)	F	7	2
(a)(14)*	Delivery by practitioner-cocaine (2-<5 g)	F	6	2
(a)(14)*	Delivery by practitioner-cocaine (<2 g)	F	5	2
(a)(14)*	Delivery by practitioner-methamphetamine (>1000 g)	F	13	3
(a)(14)*	Delivery by practitioner-methamphetamine (100-1000 g)	F	11	3
(a)(14)*	Delivery by practitioner-methamphetamine (50-<100 g)	F	10	3
(a)(14)*	Delivery by practitioner-methamphetamine (10-<50 g)	F	8	2
(a)(14)*	Delivery by practitioner-methamphetamine (2.5-<10 g)	F	7	2
(a)(14)*	Delivery by practitioner-methamphetamine (<2.5 g)	F	6	2
(a)(14)*	Delivery by practitioner-PCP (>1000 g)	F	13	3
(a)(14)*	Delivery by practitioner-PCP (100-1000 g)	F	11	3
(a)(14)*	Delivery by practitioner-PCP (50-<100 g)	F	10	3

<i>35 P.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-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
(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

<i>35 P.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)(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-fentanyl and its derivatives and analogues (>=100 g)	F	14	3
(a)(30)*	Possession with intent to deliver-fentanyl and its derivatives and analogues (50-<100 g)	F	13	3
(a)(30)*	Possession with intent to deliver-fentanyl and its derivatives and analogues (10-<50 g)	F	11	2
(a)(30)*	Possession with intent to deliver-fentanyl and its derivatives and analogues (1-<10 g)	F	10	2
(a)(30)*	Possession with intent to deliver-fentanyl and its derivatives and analogues (<1 g)	F	8	2
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (>1000 g)	F	13	3
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (>1000 pills)	F	13	3
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (100-1000 g)	F	11	3
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (100-1000 pills)	F	11	3
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (50-<100 g)	F	10	3
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (50-<100 pills)	F	10	2
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (10-<50 g)	F	8	2
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (10-<50 pills)	F	8	2
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (1-<10 g)	F	7	2
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (1-<10 pills)	F	7	2
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (<1 g)	F	6	2
(a)(30)*	Possession with intent to deliver-cocaine (>1000 g)	F	13	3
(a)(30)*	Possession with intent to deliver-cocaine (100-1000 g)	F	11	3
(a)(30)*	Possession with intent to deliver-cocaine (50-<100 g)	F	10	3
(a)(30)*	Possession with intent to deliver-cocaine (10-<50 g)	F	8	2

<i>35 P.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-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
(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

<i>35 P.S. § 780-113</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
(a)(30)*	Possession with intent to deliver-Sched 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
(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

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

<i>35 P.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

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

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

JUDICIAL CODE

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

<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)(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)(iii)	Drive w/ suspended/revoked license as condition of ARD/conviction for DUI (3rd /subsq off)	M-3	1	m
1543(b)(1.1)(ii)	Drive w/ susp. lic. & BAC >=0.02/or under influence of controlled subst. (2nd off)	M-3	1	m
1543(b)(1.1)(iii)	Drive w/ susp. lic. & BAC >=0.02/or under influence of controlled subst. (3rd/subsq off)	M-1	3	m
1571(a.1)	Violations concerning licenses-agents issuing altered driver's license	F-3	5	1
1571(a)(5)	Violations concerning licenses-exhibit fictitious driver's license	M-1	3	m
3105(g)(2)	Unauth. operation of preemptive device	M-3	1	m
3367	Racing on highways (2nd/subsq off)	M	1	m
3712(a)	Abandonment of vehicles-on highway (3rd/subsq off)	M-3	1	m
3712(b)	Abandonment of vehicles-public/private property (3rd/subsq off)	M-3	1	m
3712.2(a)	Stripping abandoned vehicles (2nd/subsq off)	F-3	5	1
3712.2(a)	Stripping abandoned vehicles (1st off)	M-3	1	m
3732(a)*	Homicide by vehicle-w/ one additional factor from each of the following two categories present during the criminal incident: 1) DUI conviction or texting (75-3316) and 2) active work zone (75-3326), emergency vehicle (75-3325), or emergency response area (75-3327)	F-3 ¹	10	1
3732(a)*	Homicide by vehicle-w/ one additional factor from each of the following two categories present during the criminal incident: 1) DUI conviction or texting (75-3316) and 2) required to be licensed (75-1501), operating privilege suspended/revoked (75-1543)	F-3 ¹	10	1
3732(a)*	Homicide by vehicle-w/ one additional factor from each of the following two categories present during the criminal incident: 1) required to be licensed (75-1501), operating privilege suspended/revoked (75-1543) and 2) active work zone (75-3326), emergency vehicle (75-3325), or emergency response area (75-3327)	F-3 ¹	8	1

<i>75 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
3732(a)*	Homicide by vehicle-w/ one additional factor present during the criminal incident: DUI conviction, texting (75-3316), required to be licensed (75-1501), operating privilege suspended/revoked (75-1543), active work zone (75-3326), emergency vehicle (75-3325), or emergency response area (75-3327)	F-3 ¹	8	1
3732(a)*	Homicide by vehicle	F-3	6	1
3732.1(a)*	Aggravated assault by vehicle w/ one additional factor from each of the following two categories present during the criminal incident: 1) DUI conviction or texting (75-3316) and 2) active work zone (75-3326), emergency vehicle (75-3325), or emergency response area (75-3327)	F-3 ²	9	1
3732.1(a)*	Aggravated assault by vehicle w/ one additional factor from each of the following two categories present during the criminal incident: 1) DUI conviction or texting (75-3316) and 2) required to be licensed (75-1501), operating privilege suspended/revoked (75-1543)	F-3 ²	9	1
3732.1(a)*	Aggravated assault by vehicle w/ one additional factor from each of the following two categories present during the criminal incident: 1) required to be licensed (75-1501), operating privilege suspended/revoked (75-1543) and 2) active work zone (75-3326), emergency vehicle (75-3325), or emergency response area (75-3327)	F-3 ²	7	1
3732.1(a)*	Aggravated assault by vehicle w/ one additional factor present during the criminal incident: DUI conviction, texting (75-3316), required to be licensed (75-1501), operating privilege suspended/revoked (75-1543), active work zone (75-3326), emergency vehicle (75-3325), or emergency response area (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)(1)(i)	Homicide by vehicle while DUI	F-2	10	2
3735(a)(1)(ii)	Homicide by vehicle while DUI (prior DUI)	F-1	11	3
3735.1(a)	Aggravated assault by vehicle while DUI	F-2	9	2
3735.1(a.1)*	Aggravated assault by vehicle while DUI-required to be licensed (75-1501) or operating privilege suspended/revoked (75-1543)	F-2	10	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)(1)*	Accident involving death/personal injury-not properly licensed (death)	F-3	6	1
3742.1(a)(1)*	Accident involving death/personal injury-not properly licensed (SBI)	F-3	5	1
3742.1(a)(1)	Accident involving death/personal injury-not properly licensed	M-2	2	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>
3742.1(a)(2)	Accident involving death/personal injury-not properly licensed: acting with negligence (death)	M-2	3	m
3742.1(a)(2)	Accident involving death/personal injury-not properly licensed: acting with negligence (SBI)	M-3	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 off)	M-2	3	1
3802(a)(1)	DUI-general impairment/incapable of safe driving (4th/subsq off)	F-3	6	1
3802(a)(1)	DUI-general impairment/incapable of safe driving (prior conviction 75-3735)	F-3	6	1
3802(a)(1)	DUI-general impairment/incapable of safe driving (minor occupant; 1st/2nd off)	M-1	5	1
3802(a)(1)	DUI-general impairment/incapable of safe driving (minor occupant; 3rd/subsq off)	F-3	6	1
3802(a)(1)	DUI-incapable of safe driving: refused testing (1st off)	M	1	m
3802(a)(1)	DUI-incapable of safe driving: refused testing (2nd off)	M-1	5	1
3802(a)(1)	DUI-incapable of safe driving: refused testing (3rd/subsq off)	F-3	6	1
3802(a)(1)	DUI-incapable of safe driving: refused testing (prior conviction 75-3735)	F-3	6	1
3802(a)(1)	DUI-incapable of safe driving: refused testing (minor occupant; 1st/2nd off)	M-1	5	1
3802(a)(1)	DUI-incapable of safe driving: refused testing (minor occupant; 3rd/subsq off)	F-3	6	1
3802(a)(1)	DUI-incapable of safe driving: accident w/BI/SBI/death (1st off)	M	1	m
3802(a)(1)	DUI-incapable of safe driving: accident w/BI/SBI/death (2nd off)	M	1	1
3802(a)(1)	DUI-incapable of safe driving: accident w/BI/SBI/death (3rd off)	M-1	5	1
3802(a)(1)	DUI-incapable of safe driving: accident w/BI/SBI/death (4th/subsq off)	F-3	6	1
3802(a)(1)	DUI-incapable of safe driving: accident w/BI/SBI/death (prior conviction 75-3735)	F-3	6	<u>1</u>
3802(a)(1)	DUI-incapable of safe driving: accident w/BI/SBI/death (minor occupant; 1st/2nd off)	M-1	5	1
3802(a)(1)	DUI-incapable of safe driving: accident w/BI/SBI/death (minor occupant; 3rd/subsq off)	F-3	6	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

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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)	F-3	6	1
3802(a)(1)	DUI-incapable of safe driving: damage to vehicle/property (prior conviction 75-3735)	F-3	6	1
3802(a)(1)	DUI-incapable of safe driving: damage to vehicle/property (minor occupant; 1st/2nd off)	M-1	5	1
3802(a)(1)	DUI-incapable of safe driving: damage to vehicle/property (minor occupant; 3rd/subsq off)	F-3	6	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 off)	M-2	3	1
3802(a)(2)	DUI-general impairment: BAC .08-<.10 (4th/subsq off)	F-3	6	1
3802(a)(2)	DUI-general impairment: BAC .08-<.10 (prior conviction 75-3735)	F-3	6	1
3802(a)(2)	DUI-general impairment: BAC .08-<.10 (minor occupant; 1st/2nd off)	M-1	5	1
3802(a)(2)	DUI-general impairment: BAC .08-<.10 (minor occupant; 3rd/subsq off)	F-3	6	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)	F-3	6	1
3802(b)	DUI-high rate of alcohol: BAC .10-<.16 (prior conviction 75-3735)	F-3	6	1
3802(b)	DUI-high rate of alcohol: BAC .10-<.16 (minor occupant; 1st/2nd off)	M-1	5	1
3802(b)	DUI-high rate of alcohol: BAC .10-<.16 (minor occupant; 3rd/subsq off)	F-3	6	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)	F-3	6	1
3802(c)	DUI-highest rate of alcohol: BAC >=.16 (prior conviction 75-3735)	F-3	6	1
3802(c)	DUI-highest rate of alcohol: BAC >=.16 (minor occupant; 1st/2nd off)	M-1	5	1
3802(c)	DUI-highest rate of alcohol: BAC >=.16 (minor occupant; 3rd/subsq off)	F-3	6	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)	F-3	6	1
3802(d)(1)(i)	DUI-controlled substances: Sched I (prior conviction 75-3735)	F-3	6	1
3802(d)(1)(i)	DUI-controlled substances: Sched I (minor occupant; 1st/2nd off)	M-1	5	1
3802(d)(1)(i)	DUI-controlled substances: Sched I (minor occupant; 3rd/subsq off)	F-3	6	1

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3802(d)(1)(ii)	DUI-controlled substances: Sched II/III (1st off)	M	1	m
3802(d)(1)(ii)	DUI-controlled substances: Sched II/III (2nd off)	M-1	5	1
3802(d)(1)(ii)	DUI-controlled substances: Sched II/III (3rd/subsq off)	F-3	6	1
3802(d)(1)(ii)	DUI-controlled substances: Sched II/III (prior conviction 75-3735)	F-3	6	1
3802(d)(1)(ii)	DUI-controlled substances: Sched II/III (minor occupant; 1st/2nd off)	M-1	5	1
3802(d)(1)(ii)	DUI-controlled substances: Sched II/III (minor occupant; 3rd/subsq off)	F-3	6	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)	F-3	6	1
3802(d)(1)(iii)	DUI-controlled substances: metabolite of Sched I/II/III (prior conviction 75-3735)	F-3	6	1
3802(d)(1)(iii)	DUI-controlled substances: metabolite of Sched I/II/III (minor occupant; 1st/2nd off)	M-1	5	1
3802(d)(1)(iii)	DUI-controlled substances: metabolite of Sched I/II/III (minor occupant; 3rd/subsq off)	F-3	6	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)	F-3	6	1
3802(d)(2)	DUI-controlled substances & incapable of safe driving (prior conviction 75-3735)	F-3	6	1
3802(d)(2)	DUI-controlled substances & incapable of safe driving (minor occupant; 1st/2nd off)	M-1	5	1
3802(d)(2)	DUI-controlled substances & incapable of safe driving (minor occupant; 3rd/subsq off)	F-3	6	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)	F-3	6	1
3802(d)(3)	DUI-controlled substances & alcohol & incapable of safe driving (prior conviction 75-3735)	F-3	6	1
3802(d)(3)	DUI-controlled substances & alcohol & incapable of safe driving (minor occupant; 1st/2nd off)	M-1	5	1
3802(d)(3)	DUI-controlled substances & alcohol & incapable of safe driving (minor occupant; 3rd/subsq off)	F-3	6	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)	F-3	6	1
3802(d)(4)	DUI-controlled substances: solvent, etc. (prior conviction 75-3735)	F-3	6	1

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3802(d)(4)	DUI-controlled substances: solvent, etc. (minor occupant; 1st/2nd off)	M-1	5	1
3802(d)(4)	DUI-controlled substances: solvent, etc. (minor occupant; 3rd/subsq off)	F-3	6	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)	F-3	6	1
3802(e)	DUI-minor driver (prior conviction 75-3735)	F-3	6	1
3802(e)	DUI-minor driver (minor occupant; 1st/2nd off)	M-1	5	1
3802(e)	DUI-minor driver (minor occupant; 3rd/subsq off)	F-3	6	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	5	1
3802(f)(1)(i)	DUI-commercial vehicles (4th/subsq off)	F-3	6	1
3802(f)(1)(i)	DUI-commercial vehicles (prior conviction 75-3735)	F-3	6	1
3802(f)(1)(i)	DUI-commercial vehicles (minor occupant; 1st/2nd off)	M-1	5	1
3802(f)(1)(i)	DUI-commercial vehicles (minor occupant; 3rd/subsq off)	F-3	6	1
3802(f)(1)(ii)	DUI-school vehicles (1st off)	M	1	m
3802f(1)(ii)	DUI-school vehicles (2nd off)	M	1	1
3802(f)(1)(ii)	DUI-school vehicles (3rd off)	M-1	5	1
3802(f)(1)(ii)	DUI-school vehicles (4th/subsq off)	F-3	6	1
3802(f)(1)(ii)	DUI-school vehicles (prior conviction 75-3735)	F-3	6	1
3802(f)(1)(ii)	DUI-school vehicles (minor occupant; 1st/2nd off)	M-1	5	1
3802(f)(1)(ii)	DUI-school vehicles (minor occupant; 3rd/subsq off)	F-3	6	1
3802(f)(2)	DUI-commercial/school vehicles & incapable of safe driving (1st off)	M	1	m
3802(f)(2)	DUI-commercial/school vehicles & incapable of safe driving (2nd off)	M	1	1
3802(f)(2)	DUI-commercial/school vehicles & incapable of safe driving (3rd off)	M-1	5	1
3802(f)(2)	DUI-commercial/school vehicles & incapable of safe driving (4th/subsq off)	F-3	6	1
3802(f)(2)	DUI-commercial/school vehicles & incapable of safe driving (prior conviction 75-3735)	F-3	6	1
3802(f)(2)	DUI-commercial/school vehicles & incapable of safe driving (minor occupant; 1st/2nd off)	M-1	5	1
3802(f)(2)	DUI-commercial/school vehicles & incapable of safe driving (minor occupant; 3rd/subsq off)	F-3	6	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	5	1
3802(f)(3)	DUI-commercial/school vehicles & controlled substances (4th/subsq)	F-3	6	1

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3802(f)(3)	DUI-commercial/school vehicles & controlled substances (prior conviction 75-3735)	F-3	6	1
3802(f)(3)	DUI-commercial/school vehicles & controlled substances (minor occupant; 1st/2nd off)	M-1	5	1
3802(f)(3)	DUI-commercial/school vehicles & controlled substances (minor occupant; 3rd/subsq off)	F-3	6	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	5	1
3802(f)(4)	DUI-commercial/school vehicles & controlled substances & alcohol (4th/subsq off)	F-3	6	1
3802(f)(4)	DUI-commercial/school vehicles & controlled substances & alcohol (prior conviction 75-3735)	F-3	6	1
3802(f)(4)	DUI-commercial/school vehicles & controlled substances & alcohol (minor occupant; 1st/2nd off)	M-1	5	1
3802(f)(4)	DUI-commercial/school vehicles & controlled substances & alcohol (minor occupant; 3rd/subsq off)	F-3	6	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 or if also convicted of 75 § 1501, 75 § 1543, 75 § 3316, 75 § 3325 or 75 § 3327 (maximum=12 years)

² statutory maximum increased by 2 years if offense occurred in active work zone or if also convicted of 75 § 1501, 75 § 1543, 75 § 3316, 75 § 3325 or 75 § 3327 (maximum=9 years)

OMNIBUS ASSIGNMENTS

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

§ 303.16(a). Basic Sentencing Matrix.

(Editor's Note. 303.16(a) is replaced in its entirety and printed in regular type to enhance readability.)

Level	OGS	Prior Record Score							RFEL	REVOC	AGG/MIT
		0	1	2	3	4	5				
LEVEL 5	14	72-SL	84-SL	96-SL	120-SL	168-SL	192-SL	204-SL	SL	~/-12	
	13	60-78	66-84	72-90	78-96	84-102	96-114	108-126	240	+/- 12	
	12	48-66	54-72	60-78	66-84	72-90	84-102	96-114	120	+/- 12	
	11	36-54	42-60	48-66	54-72	60-78	72-90	84-102	120	+/- 12	
	10	22-36	30-42	36-48	42-54	48-60	60-72	72-84	120	+/- 12	
	9	12-24	18-30	24-36	30-42	36-48	48-60	60-72	120	+/- 12	
LEVEL 4	8	9-16	12-18	15-21	18-24	21-27	27-33	40-52	NA	+/- 9	
LEVEL 3	7	6-14	9-16	12-18	15-21	18-24	24-30	35-45	NA	+/- 6	
	6	3-12	6-14	9-16	12-18	15-21	21-27	27-40	NA	+/- 6	
LEVEL 2	5	RS-9 P2 (225-250)	1-12	3-14	6-16	9-16	12-18	24-36	NA	+/- 3	
	4	RS-3 P1 (100-125)	RS-9 P2 (225-250)	RS-<12 P2 (300-325)	3-14	6-16	9-16	21-30	NA	+/- 3	
	3	RS-1 P1 (50-75)	RS-6 P1 (150-175)	RS-9 P2 (225-250)	RS-<12 P2 (300-325)	3-14	6-16	12-18	NA	+/- 3	
LEVEL 1	2	RS (25-50)	RS-2 P1 (75-100)	RS-3 P1 (100-125)	RS-4 P1 (125-150)	RS-6 P1 (150-175)	1-9	6- <12	NA	+/- 3	
	1	RS (25-50)	RS-1 P1 (50-75)	RS-2 P1 (75-100)	RS-3 P1 (100-125)	RS-4 P1 (125-150)	RS-6 P1 (150-175)	3-6	NA	+/- 3	

Restorative Sanctions (RS) are non-confinement sentence recommendation (204 Pa.Code § 303.9(f))

- Guilt without further penalty (42 Pa.C.S. § 9723)
- Fines (18 Pa.C.S. § 1101) including Fines/Community Service Guidelines (204 Pa.Code § 303.14(a)(4))
- Community Service (range of hours), including Fines/Community Service Guidelines (204 Pa.Code § 303.14(a)(4))
- Restitution (18 Pa.C.S. § 1106)
- Probation (42 Pa.C.S. §§ 9722, 9763(b)), including recommendations for duration of probation
 - P1: 1 year
 - P2: 2 years
 - Probation as Restorative Sanction = Aggregate term not to exceed 5 years.

Confinement sentence recommendations (204 Pa.Code § 303.9(e)) are ranges of minimum terms in months

- Confinement in state facility (§ 303.9(e)(1))
- Confinement in county facility (§ 303.9(e)(2), (3))
- Probation with restrictive conditions (§ 303.9(e)(2), (3)) are CIP programs (42 Pa.C.S. Chapter 98), subject to the following recommendations:
 - Sentencing guidelines*. Duration of restrictive conditions and confinement are not to exceed recommended sentence range.
 - DUI mandatory minimum requirement*. Duration of restrictive conditions and confinement equivalent to mandatory minimum requirement.
 - Clinical evaluation*. Diagnostic evaluation of dependency on alcohol and other drugs and clinically prescribed treatment
 - RNR assessment*. Validated assessment of risk, needs, and responsivity may guide decisions to: intensity of intervention, use of restrictive conditions, and duration of community supervision.
- Probation supervision period = Aggregate term not to exceed 10 years.

Omnibus Offense Gravity Score (OGS) assignments. See Omnibus policy (§ 303.3(f)) and OGS assignments (§ 303.15):

- M3 = OGS 1
- M2 = OGS 2
- M1 = OGS 3
- F3 = OGS 5
- F2 = OGS 7
- F1 = OGS 8
- F1 (maximum > 20 years) = OGS 10

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

Sentencing Guideline Recommendations for Murder of 1st or 2nd Degree											
	OGS	Prior Record Score							RFEL	REVOC	Agg/Mit
		0	1	2	3	4	5				
Murder of 1st Degree											
Offender >=18	15	LWOP or Death	LWOP or Death	LWOP or Death	LWOP or Death	LWOP or Death	LWOP or Death	LWOP or Death	LWOP or Death	LWOP or Death	N/A
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
Murder of 2nd Degree											
Offender >=18	15	LWOP	LWOP	LWOP	LWOP	LWOP	LWOP	LWOP	LWOP	LWOP	N/A
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 .
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 when committed by an offender under age 18 (18 Pa.C.S. § 1102.1(b)).
6. Recommendations for Murder 1 and 2 apply to offenders under age 18 at the time of the offense and the conviction occurred after June 24, 2012.

§ 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). School Enhancement Matrix.

Level	OGS	Prior Record Score								Agg/Mit
		0	1	2	3	4	5	RFEL	REVOC	
5	14	78-SL	90-SL	102-SL	SL	SL	SL	SL	SL	~/-12
	13	66 - 90	72 - 96	78 - 102	84 - 108	90 - 114	102 - SL	114 - SL	SL	+/-12
	12	54-78	60-84	66-90	72-96	78-102	90-114	102-SL	SL	+/-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
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] restrictive conditions of probation are** 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). Youth Enhancement Matrix.

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

1. This enhancement may only be applied to violations of 35 P.S. § 780-113(a)(14) and (a)(30).
2. Level 4 indicates restrictive intermediate punishments may be substituted for incarceration.
3. When **[county intermediate punishment is] restrictive conditions of probation are** 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). School and Youth Enhancement Matrix.

Level	OGS	Prior Record Score								Agg/Mit
		0	1	2	3	4	5	RFEL	REVOC	
5	14	90 - SL	102 - SL	114 - SL	SL	SL	SL	SL	SL	~/-12
	13	78 - 114	84 - 120	90 - SL	96 - SL	102 - SL	114 - SL	SL	SL	+/-12
	12	66-102	72-108	78-114	84-120	90-SL	102-SL	114-SL	SL	+/-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] restrictive conditions of probation are** 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).

[Pa.B. Doc. No. 20-843. Filed for public inspection July 2, 2020, 9:00 a.m.]

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART VIII. CRIMINAL SENTENCING

COMMISSION ON SENTENCING

[204 PA. CODE CH. 307]

Proposed Resentencing Guidelines, Amendment 1

The Pennsylvania Commission on Sentencing hereby publishes for public comment proposed Resentencing Guidelines, Amendment 1, 204 Pa. Code §§ 307.1—307.4. The proposed Resentencing Guidelines, Amendment 1, is set forth in Annex A.

The Commission adopted Resentencing Guidelines on June 13, 2019. Effective January 1, 2020, the Resentencing Guidelines apply to sentences of probation, county intermediate punishment, and state intermediate punishment imposed on or after January 1, 2020 and that are subsequently revoked for technical violations and conviction violations and resentenced.

However, prior to the effective date of January 1, 2020, Act 115 of 2019 was enacted. Effective December 18, 2019, the sentencing alternatives of county intermediate punishment and state intermediate punishment were repealed. The Act reassigns county intermediate punishment programs as restrictive conditions of probation and created the State Drug Treatment Program under the authority of the Department of Corrections as a replacement for state intermediate punishment.

The Resentencing Guidelines, as adopted June 13, 2019 and effective January 1, 2020, remain applicable to sentences of probation imposed on or after January 1, 2020 and are subsequently revoked and resentenced.

On June 4, 2020, the Commission approved for the purpose of public comment a proposed Resentencing Guidelines, Amendment 1, primarily to address the repeal of county and state intermediate punishment under Act 115 of 2019. Additionally, in response to practitioners, the Commission incorporated stronger language to consider time served when resentencing offenders.

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

- (i) Pennsylvania District Attorneys Association
- (ii) Chiefs of Police Associations
- (iii) Fraternal Order of Police
- (iv) Public Defenders Organization
- (v) Law School faculty members
- (vi) Pennsylvania Parole Board
- (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 has scheduled the following public hearings, to be held using Zoom Webinar, and providing limited opportunities for on-site testimony consistent with COVID-19 social distancing safeguards:

Hearing I.

<i>Date:</i>	Tuesday, August 18, 2020
<i>Time:</i>	10:00 a.m.
<i>Zoom:</i>	Webinar Registration Link: https://bit.ly/PCSPUBSEN1
<i>Onsite Location:</i>	McKeesport Daily News Building, 409 Walnut Street, McKeesport, PA 15132

Hearing II.

<i>Date:</i>	Thursday, August 20, 2020
<i>Time:</i>	2:00 p.m.
<i>Zoom:</i>	Webinar Registration Link: https://bit.ly/PCSPUBSEN2
<i>Onsite Location:</i>	Pennsylvania Commission on Sentencing (Harrisburg Office) 530 Irvis Building, Capitol Complex, Harrisburg, PA 17120-2218

Those wishing to attend the public hearing and/or testify via Zoom Webinar may register at the link provided above. Those wishing to testify in person may register by contacting the Commission (Cathy Dittman—814-863-5729 or cwd2@psu.edu) to schedule a specific time for on-site testimony.

Persons or organizations wishing to testify are asked to register at least five business days prior to the hearing and to provide an electronic copy of any testimony. Written comments from persons or organizations not wishing to testify should be received by the Commission at least five business days before the last-scheduled public hearing. Forward all testimony and documents to Cathy Dittman (CWD2@PSU.EDU).

The Commission will evaluate the proposed Amendment 1 to the Resentencing Guidelines 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 Thursday, September 10, 2020.

All Commission meetings are open to the public. Any proposals adopted by the Commission will be submitted to the General Assembly for review by way of publication in the *Pennsylvania Bulletin*, and will become effective 90 days after publication unless rejected by concurrent resolution of the General Assembly.

REPRESENTATIVE TODD STEPHENS,
Chair

Commentary on Annex A

This Commentary provides selected highlights of the proposed Resentencing Guidelines, Amendment 1. The proposed Amendment is set forth in Annex A.

Revisions to § 307.1—Preliminary provisions

Act 115 of 2019 repealed county intermediate punishment and state intermediate punishment as sentencing alternatives effective December 18, 2019. Definitions and references to these alternatives were removed under (a) and (b). Under the definition of ‘probation’ in (b), language was added to reference restrictive conditions of probation and restrictive DUI probation conditions. Under the definition of ‘resentence,’ language was incorporated

to include due consideration of time served under probation. Technical changes were made in numbering in (b).

Revisions to § 307.2—Resentencing Guidelines standards

Act 115 of 2019 repealed county intermediate punishment and state intermediate punishment as sentencing alternatives effective December 18, 2019. References to those alternatives were removed.

Resentencing Guidelines were effective January 1, 2020 and applied to all sentences of probation, county intermediate punishment, and state intermediate punishment that were revoked for technical violations or conviction violations and subsequently resentenced. Resentencing Guidelines, Amendment 1, continue to apply to sentences of probation that are revoked for technical or conviction violations and subsequently resentenced. It includes sentences imposed with restrictive conditions of probation.

Revisions to § 307.3—Procedure for determining the guideline sentence

Act 115 of 2019 repealed county intermediate punishment and state intermediate punishment as sentencing alternatives effective December 18, 2019. References to those alternatives were removed.

Language was incorporated to consider time served under the original sentence when resentencing offenders

Revisions to § 307.4—Guideline sentence recommendations

No changes.

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART VIII. CRIMINAL SENTENCING

CHAPTER 307. RESENTENCING GUIDELINES, AMENDMENT 1

§ 307.1. Preliminary provisions.

(a) *Authorization.*

(1) As authorized by 42 Pa.C.S. § 2154.4 (relating to guidelines for resentencing), the Commission shall adopt guidelines that shall be considered by the court when resentencing an offender following the revocation of probation [, **county intermediate punishment, or state intermediate punishment**].

(2) The Resentencing Guidelines shall take into account:

- (i) factors considered in adopting the sentencing guidelines,
- (ii) the seriousness of the violation, and
- (iii) the rehabilitative needs of the defendant.

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

[(1)] “Conviction.” A finding of guilty or the entering of a plea of guilty or nolo contendere for a misdemeanor or felony in a court of record, whether or not judgement of sentence has been imposed.

[(2)] “County intermediate punishment (CIP).” A sentencing alternative as provided in 42 Pa.C.S. Chapter 98 and imposed pursuant to 42 Pa.C.S. § 9763.

[(3)] “Court.” A court of record.

[(4)] “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.

[(5)] “Offense gravity score (OGS).” An assignment in the sentencing guidelines reflecting the seriousness of a conviction offense (see: 204 Pa. Code § 303.3 and § 303.15).

[(6)] “Offense tracking number (OTN).” A unique identifying number assigned to an entire set of charges related to a conviction. An OTN is generally assigned by the court at the time of arraignment.

[(7)] “Prior record score (PRS).” A category in the sentencing guidelines reflecting the seriousness of the criminal history of an offender (see: 204 Pa. Code § 303.4).

[(8)] “Probation.” A sentencing alternative as provided in 42 Pa.C.S. § 9722 and imposed pursuant to 42 Pa.C.S. § 9754; **conditions of probation, pursuant to 42 Pa.C.S. § 9763, include conditions generally (b), restrictive DUI probation conditions (c), and restrictive conditions of probation (d).**

[(9)] “Resentence.” A new sentence imposed following the revocation of probation [, **county intermediate punishment, or state intermediate punishment**]. Upon revocation, the sentencing alternatives available to the court shall be the same as were available at the time of the initial sentence, **due consideration given to time spent serving the order of probation.**

[(10)] “Revocation.” The termination of an order of probation [**or a sentence of county intermediate punishment or state intermediate punishment**], upon proof of a violation of specific conditions of the order or sentence, as provided in 42 Pa.C.S. §§ 9771 and 9771.1 (relating to revocation of probation) [, **42 Pa.C.S. § 9773 (relating to revocation of county intermediate punishment), and 42 Pa.C.S. § 9774 (relating to revocation of state intermediate punishment)**].

[(11)] “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 judgment,” 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.

[(12)] “Sentencing Guidelines Software Web Application (SGS Web).” A JNET-based application operated by

the Commission which includes the modules for Sentencing Guidelines and for Resentencing Guidelines. SGS Web serves as the source of data for the original reported sentence and associated information and the reporting source for revocations and resentences.

[(13)] “State identification number (SID).” A unique number associated with each offender based on fingerprints. The Commission requires the inclusion of SID as part of the record in the completed Guideline Sentence Form (§ 303.1(f)).

[(14)] **“State intermediate punishment (SIP).” A sentencing alternative as provided in 61 Pa.C.S. Chapter 41 and imposed pursuant to 61 Pa.C.S. § 4104(d).**

[(15)] “Violation.” A finding by a court of record, following a hearing, that the offender failed to comply with terms and conditions of an order of probation [**or a sentence of county intermediate punishment or state intermediate punishment**].

[(i)] “Technical violation.” Failure to comply with the terms and conditions of an order of probation [**or a sentence of county intermediate punishment or state intermediate punishment**], other than by the commission of a new offense of which the offender is convicted in a court of record.

[(ii)] “Conviction violation.” Commission of a new offense during the period of probation [**, county intermediate punishment, or state intermediate punishment**], resulting in a conviction for a misdemeanor or felony in a court of record, whether or not judgement of sentence has been imposed.

§ 307.2. Resentencing Guidelines standards.

(a) The court shall consider the Resentencing Guidelines in determining the appropriate resentence upon a revocation of probation [**, county intermediate punishment, or state intermediate punishment**].

(b) The Resentencing Guidelines shall apply to revocations of probation [**, county intermediate punishment, and state intermediate punishment**] for all offenses committed on or after January 1, 2020. Amendments to the Resentencing Guidelines shall apply to revocations of probation [**, county intermediate punishment, and state intermediate punishment**] for all offenses committed on or after the effective date of the amendment.

(c) Upon revocation of probation [**, county intermediate punishment, or state intermediate punishment**], all sentencing alternatives available to the court at the time of the initial sentence shall be available to the court for resentencing.

(d) In every case in which a court of record imposes a resentence for a felony or misdemeanor, the court shall make as a part of the record and disclose in open court at the time of resentencing, a statement of the reason or reasons for the revocation and for the resentence imposed. In every case where a court of record imposes a resentence outside the Resentencing Guidelines, the rea-

son 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 204 Pa. Code § 303.1(e).

(e) Unless otherwise provided by the Commission, the JNET-based Sentencing Guidelines Software Web application (SGS Web) shall be used at the court’s direction to report all revocations of probation [**, county intermediate punishment, and state intermediate punishment**] and related resentences to the Commission. The information shall be electronically submitted to the Commission via SGS Web no later than 30 days after the date of resentencing.

§ 307.3. Procedure for determining the guideline resentence.

(a) For a technical violation resulting in the revocation of an order of probation [**or a sentence of county intermediate punishment or state intermediate punishment**], the resentencing guidelines shall be the same as the initial sentencing guidelines, pursuant to 204 Pa. Code Chapter 303 (relating to sentencing guidelines), with consideration given to any service of the original sentence.

(b) For a conviction violation resulting in revocation of an order of probation [**or a sentence of county intermediate punishment or state intermediate punishment**], the resentencing guidelines shall begin with the initial sentencing guidelines, pursuant to 204 Pa. Code Chapter 303 (relating to sentencing guidelines), and include consideration of the following:

(1) If the PRS category of the initial sentencing guidelines is PRS 0 through PRS 4, the PRS is increased by one category;

(2) If the PRS category of the initial sentencing guidelines is PRS 5, RFEL, or REVOC, there is no change to the PRS category.

Consideration shall be given to any service of the original sentence.

(c) If the revocation of an order of probation [**or a sentence of county intermediate punishment or state intermediate punishment**] is related to both a technical violation and a conviction violation, the resentencing guidelines for the conviction violation apply.

§ 307.4. Guideline resentence recommendations.

(a) Prior to resentencing, the Commission recommends the court obtain additional information via a risk-needs assessment or a risk-needs-responsivity assessment to identify any rehabilitative needs that may be addressed in a resentence.

(b) Guideline resentencing recommendations relating to sentencing level, sentencing programs, aggravated and mitigated circumstances, and economic sanctions shall be the same as those provided for guideline sentence recommendations pursuant to 204 Pa. Code §§ 303.11, 303.12, 303.13, and 303.14.

[Pa.B. Doc. No. 20-844. Filed for public inspection July 2, 2020, 9:00 a.m.]

THE COURTS

Title 255—LOCAL COURT RULES

WASHINGTON COUNTY

Adoption of Local Civil Rule 1143—Mortgage Foreclosure Diversion Notice; No. 2020-1

Order

And Now, this 10th day of June, 2020, it is hereby Ordered, Adjudged, and Decreed that the following Washington County Local Rule of Civil Procedure is hereby adopted, effective thirty (30) days after publication of this Order in the *Pennsylvania Bulletin*. The following rule is only being revised to reflect a change in location and time to be included in a required notice.

This Order shall be processed in accordance with Pa.R.J.A. 103(d). The District Court Administrator is directed to do the following:

1. Publish the local rules on the Court’s website to be incorporated into the set of local rules on the website within thirty (30) days after the publication of the local rules in the *Pennsylvania Bulletin*.

2. File one (1) copy of the local rules in the appropriate filing office(s) for public inspection and copying.

3. Cause a copy hereof to be published in the *Washington County Bar Journal* once a week for two successive weeks at the expense of the County of Washington.

By the Court

KATHERINE B. EMERY,
President Judge

Rule 1143. Commencement of Action. Residential Mortgage Foreclosure.

(a) In all residential mortgage foreclosure actions, the complaint shall include a “Mortgage Foreclosure Diversion Program Notice,” in the format set forth below:

**IN THE COURT OF COMMON PLEAS OF
WASHINGTON COUNTY, PENNSYLVANIA**

CIVIL DIVISION

Plaintiff(s))	
)	
vs.)	No. _____
)	
Defendant(s).)	

**MORTGAGE FORECLOSURE DIVERSION PROGRAM
NOTICE**

You have been sued in court to foreclose upon the mortgage associated with your home.

You are notified that you may seek a 90-day stay in this mortgage foreclosure action if you attend a free Foreclosure Mitigation Counseling session within 20 days of being served with the complaint in this action and this notice, and make application for the stay. The purpose of this stay is to permit you an opportunity to work with the lender/plaintiff to reach an agreement to settle this proceeding. The Foreclosure Mitigation Counseling sessions are held every Thursday at 10:00 a.m., at the Southwestern PA Legal Services’ office located next to the Washington County Courthouse at 10 West Cherry Avenue, Washington, PA 15301.

If you fail to appear for this free Foreclosure Mitigation Counseling session, you will not receive a 90-day stay of these proceedings and if you do not respond to the complaint, a default judgment may be entered.

YOU SHOULD STRONGLY CONSIDER ATTENDING A FORECLOSURE MITIGATION COUNSELING SESSION. THESE SESSIONS WILL BE CONDUCTED BY A REPRESENTATIVE OF SOUTHWESTERN PENNSYLVANIA LEGAL SERVICES. YOU MAY BE ABLE TO SEEK ASSISTANCE FROM A LEGAL PROFESSIONAL AT THE FORECLOSURE MITIGATION COUNSELING SESSION.

IF YOU HAVE QUESTIONS ABOUT THIS MATTER, YOU MAY HAVE THEM ADDRESSED AT THE FORE-

**CLOSURE MITIGATION COUNSELING SESSION, OR
YOU MAY CONTACT SOUTHWESTERN PA LEGAL
SERVICES AT:**

10 WEST CHERRY AVENUE
WASHINGTON, PA 15301
724.225.6170
TOLL FREE: 1-800-846-0871

AMERICANS WITH DISABILITIES ACT OF 1990

The Court of Common Pleas of Washington County, Pennsylvania is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the Court, please contact our office. All arrangements must be made at least 72 hours prior to any hearing.

(b) If the defendant completes the Foreclosure Mitigation Counseling session, the Court shall enter a 90-day stay upon application of the defendant.

(c) At the expiration of the 90-day stay, the defendant shall have twenty (20) days in which to take action by entering a written appearance personally or by an attorney and filing in writing with the court his or her defenses or objections to the claims set forth against him or her; provided, however, that if the defendant is served outside the United States the defendant shall have sixty (60) days in which to respond.

[Pa.B. Doc. No. 20-845. Filed for public inspection July 2, 2020, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Suspension

Notice is hereby given that Katrina F. Wright having been suspended from the practice of law in the State of New Jersey; the Supreme Court of Pennsylvania issued an Order dated June 11, 2020 suspending Katrina F. Wright from the practice of law in this Commonwealth for a period of two years, effective July 11, 2020. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

MARCEE D. SLOAN,
Board Prothonotary

[Pa.B. Doc. No. 20-846. Filed for public inspection July 2, 2020, 9:00 a.m.]

NOTICES

CAPITOL PRESERVATION COMMITTEE

Request for Proposals

CPC 19.170: Clock Conservation and Maintenance. This project involves the following cyclical maintenance: onsite oiling; studio cleaning; installation of temporary clocks; weekly winding and general maintenance; condition assessment reports; and documentation of historic wall and mantle clocks.

A \$50 deposit is required for each issuance of project documents; awardee and those entities returning the documents in good condition will be reimbursed. The issue date of the request for proposals will be on August 3, 2020. A mandatory preproposal conference and walk through will be held on August 11, 2020, at 11:30 a.m. in Room 630 of the Main Capitol Building. The proposal receipt date is September 1, 2020, at 2 p.m. Project documents may be obtained in Room 630, Main Capitol Building, Harrisburg, PA or by contacting Tara Pyle at (717) 783-6484.

DAVID L. CRAIG,
Executive Director

[Pa.B. Doc. No. 20-847. Filed for public inspection July 2, 2020, 9:00 a.m.]

CAPITOL PRESERVATION COMMITTEE

Request for Proposals

CPC 20.174: Mercer Tile Preservation Maintenance. This project involves the following: cyclical cleaning and routine maintenance of the first floor Mercer Tile areas; marble base; second floor marble floor areas; elevator terrazzo floors and metal saddles; and miscellaneous bronze items at the Main Capitol Building. Specific task sets will be scheduled on a biweekly basis (each 2-week period) and special tasks on a yearly basis.

A \$50 deposit is required for each issuance of project documents. The issue date of the request for proposals will be on August 3, 2020. A mandatory preproposal conference and walk through will be held on August 11, 2020, at 10 a.m. in Room 630 of the Main Capitol Building. The proposal receipt date is September 1, 2020, at 2 p.m. Project documents may be obtained in Room 630, Main Capitol Building, Harrisburg, PA or by contacting Tara Pyle at (717) 783-6484.

DAVID L. CRAIG,
Executive Director

[Pa.B. Doc. No. 20-848. Filed for public inspection July 2, 2020, 9:00 a.m.]

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority in the Banking Code of 1965 (7 P.S. §§ 101—2204), the Department of Banking and Securities Code (71 P.S. §§ 733-1—733-1203) and 17 Pa.C.S. (relating to Credit Union Code), has taken the following actions on applications received for the week ending June 23, 2020.

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, Bank Supervision or Credit Union and Trust Supervision (as applicable), 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, for banks (717) 783-8240 and for credit unions and trust companies (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>
06-22-2020	Interim Clarion County Community Bank Clarion Clarion County	Approved
	The purpose of incorporation of Interim Clarion County Community Bank is to facilitate the formation of a bank holding company structure for Clarion County Community Bank and it will merge with Clarion County Community Bank and become the wholly-owned subsidiary of CCCB Bancorp, Inc.	

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
06-22-2020	Clarion County Community Bank Clarion Clarion County Application for approval to merge Clarion County Community Bank with Interim Clarion County Community Bank to facilitate the formation of a bank holding company structure for Clarion County Community Bank.	Approved

Branch Applications**De Novo Branches**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
06-22-2020	Jersey Shore State Bank Jersey Shore Lycoming County	835 East Bishop Street Bellefonte Centre County	Approved

Articles of Amendment

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
06-18-2020	Huntingdon Valley Bank Huntingdon Valley Montgomery County Amendment to Article II of the institution's Articles of Incorporation provides for the principal place of business of the bank to be relocated from 2617 Huntingdon Pike, Huntingdon Valley, Montgomery County, PA, to 2005 South Easton Road, Suite 304, Doylestown, Bucks County, PA. Articles of Amendment provide for the institution's Articles of Incorporation to be amended and restated in their entirety.	Effective

CREDIT UNIONS

No activity.

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

RICHARD VAGUE,
Acting Secretary

[Pa.B. Doc. No. 20-849. Filed for public inspection July 2, 2020, 9:00 a.m.]

DEPARTMENT OF EDUCATION**Cyber Charter School Application; Virtual Hearing**

The Department of Education (Department) will conduct a virtual public hearing regarding a revised and resubmitted cyber charter school application previously received on or before October 1, 2019. The hearing will be held on Monday, August 3, 2020. This hearing will take place virtually, beginning at 9 a.m.

Login information to access the hearing will be posted to the Division of Charter School's Applications webpage at <https://www.education.pa.gov/K-12/Charter%20Schools/Pages/Charter-Applications.aspx>.

The hearing pertains to applicants seeking to operate a cyber charter school beginning in the 2020-2021 school year. The purpose of the hearing is to gather information from the applicants about the revised proposed cyber charter schools as well as receive comments from interested individuals regarding the revised applications. The names of the applicants, copies of the revised applications and a listing of the dates and times scheduled for the hearing on each revised applications can be viewed on the Department's web site after July 13, 2020, at www.education.pa.gov.

Individuals who wish to provide comments on a revised application during the hearing must provide a copy of their written comments to the Department and the

applicant on or before July 27, 2020. Comments provided by this deadline and presented at the hearing will become part of the certified record. Failure to comply with this deadline will preclude the individual from providing comments at the hearing. Verbal comments may be limited based on the number of individuals requesting time to provide comments and may be limited if the comments are duplicative or repetitive of another individual's comments. Persons who are unable to attend the hearing may provide the Department and the applicant with written comments on or before July 27, 2020. Any written comments provided to the Department by this deadline will also become part of the certified record.

The hearing will be conducted by a panel of individuals who have completed an initial review of the revised application. The panel members may question the applicant on issues identified during their review, as well as issues raised in the written comments filed by the deadline. Panel members may also question individuals who offer verbal comments. Commentators will not be permitted to question either the applicant or the panel members.

Comments sent to the Department should be addressed to the Division of Charter Schools, 333 Market Street, 3rd Floor, Harrisburg, PA 17126-0333, ra-charterschools@pa.gov. Hearing agendas will be prepared no later than July 31, 2020, when the Department is aware of the number of

individuals who wish to provide verbal comments at the hearing. The hearing agenda will provide the order of presentation, as well as specify the amount of time allotted to each commentator.

Hearing agendas will be posted under Charter School Applications on the Department's web site at <http://www.education.pa.gov/K-12/Charter%20Schools/Pages/Charter-Applications.aspx>.

For questions regarding this hearing, contact Division of Charter Schools at ra-charterschools@pa.gov.

PEDRO A. RIVERA,
Secretary

[Pa.B. Doc. No. 20-850. Filed for public inspection July 2, 2020, 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.

Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, Email: RA-EPNPDES_SCRO@pa.gov.

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0265969 (Sewage)	Happy Hollow Restaurant 10924 Raystown Road Saxton, PA 16678	Bedford County/ Liberty Township	UNT Sugar Camp Run/11-D	Yes

Southwest Region: Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Email: RA-EPNPDES_SWRO@pa.gov.

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0096326 (Sewage)	Elevate Jeannette LLC DBA Hilltop Estates MHP P.O. Box 927215 San Diego, CA 92192	Westmoreland County Hempfield Township	Unnamed Tributary of Brush Creek (TSF) (19-A)	Yes

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

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

WQM Permit No. 4601405, Sewage, Amendment, **Montgomery Township Municipal Sewer Authority**, 1001 Stump Road, Montgomeryville, PA 18936.

This proposed facility is located in Montgomery Township, **Montgomery County**.

Description of Action/Activity: Change from liquid sodium hypochlorite to gaseous chlorine.

WQM Permit No. WQG02091421, Sewage, Amendment, **Bucks County Water & Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976.

This proposed facility is located in Doylestown Township, **Bucks County**.

Description of Action/Activity: Addition of a small grinder pump station in the collection system.

WQM Permit No. 0920404, Sewage, **Warminster Municipal Authority**, 415 Gibson Avenue, P.O. Box 2279, Doylestown, PA 18974

This proposed facility is located in Warminster Township, **Bucks County**.

Description of Action/Activity: Replace 2 existing pumps and associated valves and piping.

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

WQM Permit No. 0609404, Amendment, Sewerage, **Spring Township**, 2850 Windmill Road, Sinking Spring, PA 19608-1668.

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

Description of Proposed Action/Activity: Seeking permit approval for addition of third clarifier to WWTP No. 3.

WQM Permit No. 0605404, Amendment, Sewerage, **Bally Borough**, 425 Chestnut Street, Bally, PA 19503.

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

Description of Proposed Action/Activity: Seeking permit approval for the replacement of chlorine gas cylinders to liquid sodium hypochlorite for disinfection.

WQM Permit No. 2190401, Amendment, **Upper Allen Township**, 100 Gettysburg Road, Mechanicsburg, PA 17055-5698.

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

Description of Proposed Action/Activity: Seeking permit approval for plant rerate.

WQM Permit No. WQG02672003, Sewerage, **Lower Allen Township Authority**, 120 Limekiln Road, New Cumberland, PA 17070-2428.

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

Description of Proposed Action/Activity: Seeking permit approval for replacement of the Linda Lane pump station.

WQM Permit No. WQG02212001, Sewerage, **Silver Spring Township Authority**, 5 Willow Mill Park Road, Suite 3, Mechanicsburg, PA 17050.

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

Description of Proposed Action/Activity: Seeking permit approval for the construction of the Hunter's Glen Residential Subdivision pump station and sewer extension.

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

WQM Permit No. 0220401, Sewage, **Moon Township Municipal Authority**, 1700 Beaver Grade Road, Moon Township, PA 15108.

This proposed facility is located in Moon Township, **Allegheny County**.

Description of Proposed Action/Activity: The applicant proposed to construct a sanitary sewer extension along Hershinger Road to serve Phase 1 of the Village at Marketplace Residential Land Development.

WQM Permit No. 0272419 A-2, Sewage, **McCandless Township Sanitary Authority Allegheny County**, 418 W Arcadia Drive, Pittsburgh, PA 15237-5506.

This existing facility is located in Hampton Township, **Allegheny County**.

Description of Proposed Action/Activity: sewage treatment plant pumping, aeration and disinfection improvements.

IV. NPDES Individual Permit Applications for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s).

Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401, Email: RA-EPNPDES_SERO@pa.gov.

PAI130507, MS4, **Charlestown Township**, 4030 Whitehorse Road, Devault, PA 19432. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Charlestown Township, **Chester County**. The receiving streams, Unnamed Tributary of French Creek (TSF, MF), Unnamed Tributary to Valley Creek (CWF, MF), and Unnamed Tributary to Pickering Creek (HQ-TSF, MF), are located in State Water Plan watershed 3-H, 3-F, and 3-D and are classified for Exceptional Value Waters, Migratory Fishes, Cold Water Fishes, Migratory Fish, Trout Stocking, and High Quality Waters—Trout Stocking, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

The applicant has submitted the following plan(s) with the application to reduce pollutant loads to impaired waters:

- A Pollutant Reduction Plan (PRP)

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 484-250-5910.

The EPA waiver is in effect for small MS4s and is not in effect for large MS4s.

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

Southeast Region: Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5160, Email: ra-epww-sero@pa.gov.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD090059	SKAOS, LLC 3265 New Hill Way Springtown, PA 18055-9630	Bucks	Milford Township	Unami Creek HQ-TSF-MF
PAD230042	Industrial Highway, LLC c/o Novaya Foxfield Industrial, LLC 265 Franklin Street Boston, MA 02110	Delaware	Eddystone Borough	Delaware River WWF-MF
PAD150166	The Hankin Group 707 Eagleview Boulevard Exton, PA 19341	Chester	Uwchlan Township	Unnamed Tributary to Shamona Creek
PAD150176	Planebrook Partners 2298 Horseshoe Pike Honey Brook, PA 19344	Chester	East Whiteland Township	Valley Creek EV

Southcentral Region: Waterways & Wetlands Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, 717 705-4802.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD060037	City of Reading 815 Washington Street Reading, PA 19601-3515	Berks	City of Reading	Schuylkill River (WWF, MF)

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, Email: RA-EPNPDES_SCRO@pa.gov.

NPDES Permit No. PAG123819 A-1, CAFO, Hard Earned Acres Inc., 1317 Ritner Highway, Shippensburg, PA 17257-9798.

This existing facility is located in Southampton Township, **Cumberland County**.

Description of size and scope of existing operation/activity: Dairy (Cows, Heifers, Calves): 1,423.48 AEUs.

The receiving stream, Unnamed Tributary to Bulls Head Branch (CWF, MF), is in watershed 7-B and classified for: Cold Water Fishes and Migratory 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.

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 (National Pollutant Discharge Elimination System) 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.

**ACT 38
NUTRIENT MANAGEMENT PLANS****CAFO PUBLIC NOTICE SPREADSHEET—APPLICATIONS**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/ New</i>
JMA Farms, LLC James Adams 179 Finishing Lane Beavertown, PA 17813	Snyder	52.8	1,812.51	Swine	NA	Renewal
Glendon Nolt 222 Long Lane Lenhartsville, PA 19534	Berks	133.8	109.6	Ducks	NA	New
Dream Farms 13689 Dream Highway Newburg, PA 17240	Franklin	253.1	2,562.31	Heifers	NA	Renewal
Larry Breneman 774 Bunker Hill Rd Strasburg, PA 17579	Lancaster	155	413.72	Swine	NA	Renewal

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal / New</i>
Chickies Creek Farm LLC Dustin Grinder 2537 Risser Mill Road Mount Joy, PA 17552	Lancaster	11.3	1,111.5	Layer	NA	Renewal

PUBLIC WATER SUPPLY 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 (35 P.S. §§ 721.1—721.17).

Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, 570-826-2511.

Contact: Gillian Ostrum, Clerk Typist 2, 570-830-3077.

Application No. 4820502, Public Water Supply.
Applicant **Lehigh Township Municipal Authority**
1069 Municipal Road
Walnutport, PA 18088

Township and County **Lehigh Township Northampton County**
Responsible Official **Mr. Carl Sharpe**
Chairman
Lehigh Township Municipal Authority
1069 Municipal Road
Walnutport, PA 18088
Type of Facility PWS
Consulting Engineer **Mr. Frederick E. Ebert, P.E.**
Ebert Engineering, Inc.
4397 Skippack Pike
Skippack, PA 19474
Application Received Date **May 26, 2020**
Description of Action Application proposes the construction of a new community PWS system including all necessary appurtenances (i.e. distribution system piping, fire hydrants, shut-offs, booster station, emergency power provisions, booster chlorination facilities, etc.) with the source of supply being finished water from the Bethlehem Authority supplied via an interconnection.

Application No. 4520502, Public Water Supply.
Applicant **Spruce Lake Retreat Center**
5389 Route 447
Canadensis, PA 18325
Township and County **Barrett Township Monroe County**
Responsible Official **Mr. Steve Ykema**
Facilities Director
Spruce Lake Retreat Center
5389 Route 447
Canadensis, PA 18325
Type of Facility PWS
Consulting Engineer **Mr. Douglas Berg PE**
Entech Engineering Inc.
8 Silk Mill Drive
Suite 211
Hawley PA 18428
Application Received Date **June 4, 2020**
Description of Action The applicant proposed the construction of corrosion control treatment facilities per the Department’s Lead and Copper Rule, 25 Pa. Code Chapter 109, Subchapter K.

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

Permit No. 5320501, Major Amendment, Public Water Supply.

Applicant	Shinglehouse Borough Water Department P.O. Box 156 Shinglehouse, PA 16748
Borough	Shinglehouse Borough
County	Potter
Responsible Official	Barry Church
Type of Facility	Public Water Supply Permit—Construction
Consulting Engineer	Mr. Justin J. Medinsky, P.E. Herbert, Rowland, & Grubic, Inc. 396 East Park Drive Harrisburg, PA 17111
Application Received Date	June 12, 2020
Description of Action	Demolition of the existing well house and construction of a new Well House No. 2 with a new iron and manganese treatment system in order to reduce the contaminants below their respective MCLs.

Permit No. 4920506, Major Amendment, Public Water Supply.

Applicant	Aqua Pennsylvania—East Cameron
Township	East Cameron Township
County	Northumberland
Type of Facility	Public Water Supply Permit—Construction
Consulting Engineer	Mr. David Knapton GHD, Inc. 4068 Mt. Royal Blvd. Alison Park, PA 15101
Application Received Date	June 15, 2020
Description of Action	Replacement of existing Well # 1 (abandoned in 2019) with Well # 3. Construction of new raw-water line from Well # 3 to the existing Well # 2 well station where Well # 3 will be treated, new chlorine contact piping, interior well-station modifications, and new transmission main to convey the finished water from the well station to the existing system.

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 De-

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

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

Contact: Janine Tulloch-Reid, Facilities Permitting Chief, (484) 250-5920.

23-00103: Elwyn (111 Elwyn Road, Elwyn, PA 19063) for a Non-Title V Facility, State-Only, Synthetic Minor Permit in Middletown Township, **Delaware County**. Elwyn is a facility caring for the needs of the developmentally disabled and disadvantaged. The sources of emissions include boilers and emergency generators. The company took an emission limit of 24.9 tons per year of NO_x. The facility is subject to 40 C.F.R. 60 Subpart IIII and 40 C.F.R. 63 Subpart JJJJJJ. Monitoring, recordkeeping and reporting requirements have been added to the permit to address applicable limitations.

Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110.

Contact: Thomas Hanlon, Facilities Permitting Chief, (717) 705-4862, Thomas Bianca, New Source Review Chief, (717) 705-4863, or William Weaver, Regional Air Quality Manager, (717) 705-4702.

07-05037: Cove Shoe Company (107 Highland Street, Martinsburg, PA 16662), to issue a State Only Operating Permit renewal for the shoe manufacturing at Martinsburg Borough, **Blair County**. The primary emissions from the facility are VOC. The facility's actual 2019 emissions are VOC 17.3 and HAPs 3.81 tons. 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 for Sources derived from 25 Pa. Code §§ 129.52d and 129.77.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.

Contact: Muhammad Q. Zaman, Program Manager, 570-327-3648.

59-00029: UGI Texas Creek, LLC (835 Knitting Mills Way, Wyomissing, PA 19610) to issue a renewal State Only Operating Permit for their Pierson 810 Compressor Station located in Gaines Township, **Tioga County**. The facility is currently operating under State Only Operating Permit 59-00029. The facility's main emission sources include a 380 bhp natural gas-fired compressor engine and two TEG dehydrators.

The facility has potential emissions of 2.3 tons per year (tpy) of NO_x, 0.01 tpy of SO_x, 0.2 tpy of PM₁₀, 7.7 tpy of CO, 3.5 tpy of VOCs, 0.3 tpy of total HAPs, and 8,914 tpy of GHGs. No emission or equipment changes are being proposed by this action.

The emission limits, throughput limitations and work practice standards along with testing, monitoring, recordkeeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145 and 40 CFR Parts 60 and 63.

All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104-4543, Contact: Edward Wiener, Chief, Source Registration at 215-685-9426.

The City of Philadelphia, Air Management Services (AMS) intends to issue a renewal for a Minor State Only Operating Permit for the following facility:

OP20-000006: RR Donnelley Philadelphia (9985 Gantry Road, Philadelphia, PA 19115) for the operation of a commercial printing facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include five (5) non-heatset sheetfed lithographic printing presses ranging from a capacity of 10,000—16,000 impressions per hour, and a 30-gallon remote reservoir parts washer.

The operating permit will be issued 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 Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

Persons wishing to file protest, comments, or request a public hearing on the previously listed operating permit must submit the protest, comments or request for public hearing 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.

The City of Philadelphia, Air Management Services (AMS) intends to issue an initial Natural Minor (State Only) Operating Permit for the following facility:

OP19-000037: Amtrak 30th Street Station and Penn Coach Yard (2955 Market Street, Philadelphia, PA 19104) for the operation of air pollution sources at a railroad station, in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources are three (3) boilers firing No. 2 oil rated 0.31 MMBtu/hr, 3.50 MMBtu/hr, and 0.375 MMBtu/hr, three (3) boilers firing natural gas each rated less than or equal to 1 MMBtu/hr, one (1) air handling unit firing natural gas rated 3.025 MMBtu/hr, and three (3) emergency generators firing diesel fuel each rated less than or equal to 565 kW. Additionally, one (1) insignificant boiler firing No. 2 Oil rated 0.249 MMBtu/hr is also included in the Natural Minor Operating Permit for facility-wide emission calculation, and it is required to follow the applicable requirements in the operating permit.

The operating permit will be issued 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 Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

Persons wishing to file protest, comments, or request a public hearing on the previously listed operating permit must submit the protest, comments or request for public hearing 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.

COAL & NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.31); 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); the Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21). 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 of Environmental Protection. A copy of the application is available for inspection at the District Mining Office indicated above 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 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 above 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 (relating to public notices of filing of permit applications, opportunity for comment, and informal conferences).

Written comments or objections related to 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.

Requests for an informal conference, or a public hearing, as applicable, on a mining permit application, as provided by 25 Pa. Code § 77.123 (relating to public hearing-informal conferences) or § 86.34 (relating to informal conferences), 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.

Where a National Pollutant Discharge Elimination System (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

Effluent Limits—The following range of effluent limits will apply to NPDES permits issued in conjunction with the associated coal mining activity permit and, in some cases, noncoal mining permits:

Table 1

Parameter	30-Day Average	Daily Maximum	Instantaneous Maximum
Iron (total)	1.5 to 3.0 mg/l	3.0 to 6.0 mg/l	3.5 to 7.0 mg/l
Manganese (total)	1.0 to 2.0 mg/l	2.0 to 4.0 mg/l	2.5 to 5.0 mg/l
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Aluminum (Total)	0.75 to 2.0 mg/l	1.5 to 4.0 mg/l	2.0 to 5.0 mg/l
pH ¹		greater than 6.0; less than 9.0	
Alkalinity greater than acidity ¹			

¹ The parameter is applicable at all times.

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

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, (814) 472-1900, (Contact: Melanie Wigfield).

Permit 56130104 and NPDES No. PA0269417. Fieg Brothers, P.O. Box 38, Berlin, PA 15530, permit renewal for the commencement, operation and restoration of a bituminous surface and auger mine in Stonycreek Township, **Somerset County** affecting 86.5 acres. Receiving streams: unnamed tributaries to Stonycreek River classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: June 17, 2020.

Moshannon District Mining Office, 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200, (Contact: Ashley Smith).

SMP 17070112. RES Coal LLC, 224 Grange Hall Road, P.O. Box 228, Armagh, PA 15920, revision to an existing bituminous surface and auger mine to change the post-mining land use from forestland to pastureland located in Bell and Gaskill Townships, **Clearfield and Jefferson Counties** affecting 295.0 acres. Receiving stream(s): Unnamed Tributaries to Bear Run and Unnamed Tributaries to Whiskey Run classified for the following uses: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: June 12, 2020.

New Stanton District Office: P.O. Box 133, New Stanton, PA 15672, (724) 925-5500, (Contact: Tracy Norbert).

30793024 and NPDES No. PA0117650. Beazer East, Inc., c/o Three Rivers Management, Inc., 600 River Avenue, Suite 200, Pittsburgh, PA 15212-5994. Renewal application received for continued treatment to an existing surface mine in Morgan Township, **Greene County**, affecting 327.7 acres. Receiving stream(s): unnamed tributaries to South Fork Tenmile Creek and Tenmile Creek classified for the following use(s): WWF. Application received: June 17, 2020.

Coal Applications Withdrawn

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, (570) 621-3118, (Contact: Theresa Reilly-Flannery).

Permit No. 54190101. Rausch Creek Coal Mining Branchdale, LLC (978 Gap Street, Valley View, PA 17983), commencement, operation and restoration of an anthracite surface mine operation in Reilly Township, **Schuylkill County** affecting 473.5 acres. Receiving stream: Swatara Creek. Application received: July 16, 2019. Application withdrawn: June 17, 2020.

Noncoal Applications Received

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

Table 2

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

* The parameter is applicable at all times.

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

Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, (814) 797-1191, (Contact: Cayleigh Boniger).

37100301. Allegheny Mineral Corporation (P.O. Box 1022, Kittanning, PA 16201), renewal of NPDES Permit No. PA0258890 in Slippery Rock Township, **Lawrence County**. Receiving streams: Slippery Rock Creek, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: April 28, 2020.

10020306 and NPDES Permit No. PA0242250. Allegheny Mineral Corporation (P.O. Box 1022, Kittanning, PA 16201). Revision to an existing large industrial mineral surface mine to add a new sediment pond and relocate a treatment pond in Worth Township, **Butler County**. Receiving streams: Unnamed tributaries to Slippery Rock Creek, Slippery Rock Creek, and Connoquenessing Creek, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: June 10, 2020.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, (570) 621-3118, (Contact: Theresa Reilly-Flannery).

Permit No. 06970301C15 and NPDES Permit No. PA0223794. H & K Group, Inc. (P.O. Box 196, Skippack, PA 19474), correction to an existing quarry operation to expand the Phase I mining area and relocate NPDES Discharge Point 002 upslope of its current location in Robeson and Union Townships, **Berks County** affecting 289.6 acres. Receiving stream: Hay Creek, classified for the following use: EV—migratory fishes. Application received: April 27, 2020.

Permit No. 58150817. Michael & Robert Pavelski (P.O. Box 86, Susquehanna, PA 18847), Stage I & II bond release of a quarry operation in New Milford Township, **Susquehanna County** affecting 5.0 acres on property owned by Samuel J., Christina and Donna Cosmello. Application received: June 15, 2020.

MINING ACTIVITY NPDES DRAFT PERMITS

This notice provides information about applications for a new, amended or renewed NPDES permits associated with mining activity (coal or noncoal) permits. The applications concern industrial waste (mining) discharges to surface water and discharges of stormwater associated with mining activities. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

The Department of Environmental Protection (Department) has prepared a draft NPDES permit and made a tentative determination to issue the NPDES permit in conjunction with the associated mining activity permit.

Effluent Limits for Coal Mining Activities

For coal mining activities, NPDES permits, when issued, will contain effluent limits that are the more stringent of technology-based (BAT) effluent limitations or Water Quality Based Effluent Limits (WQBEL).

The BAT limits for coal mining activities, as provided in 40 CFR Part 434 and 25 Pa. Code Chapters 87—90 are as follows:

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Iron (Total)	3.0 mg/l	6.0 mg/l	7.0 mg/l
Manganese (Total)	2.0 mg/l	4.0 mg/l	5.0 mg/l
Suspended solids	35 mg/l	70 mg/l	90 mg/l
pH*		greater than 6.0; less than 9.0	

Alkalinity greater than acidity*

*The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applies to: surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; mined areas backfilled and revegetated; and all other discharges and drainage (resulting from a precipitation event of greater than 1-year 24-hour to less than or equal to a 10-year 24-hour event) from coal refuse disposal piles. Similarly, modified BAT limits apply to iron, manganese and suspended solids in surface runoff, discharges and drainage resulting from these precipitation events and those of greater magnitude in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Exceptions to BAT effluent limits may be applicable in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Effluent Limits for Noncoal Mining Activities

The limits for noncoal mining activities as provided in 25 Pa. Code Chapter 77 are pH 6 to 9 and other parameters the Department may require.

Discharges from noncoal mines located in some geologic settings (for example, in the coal fields) may require additional water quality based effluent limits. If additional effluent limits are needed for an NPDES permit associated with a noncoal mining permit, then the permit description specifies the parameters.

In addition to BAT or WQBEL limits, coal and noncoal NPDES permits establish effluent limitations in the form of implemented Best Management Practices (BMPs) identified in the associated Erosion and Sedimentation Plan, the Reclamation Plan and the NPDES permit application. These BMPs restrict the rates and quantities of associated pollutants from being discharged into surface waters in this Commonwealth.

More restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining that may occur are incorporated into an NPDES permit when necessary for compliance with water quality standards and antidegradation requirements (in accordance with 25 Pa. Code Chapters 91—96).

The procedures for determining the final effluent limits, using a mass-balance equation or model, are found in Technical Guidance Document 563-2112-115, Developing National Pollutant Discharge Elimination System (NPDES) Permits for Mining Activities. Other specific factors to be considered include public comments and Total Maximum Daily Load(s). Additional discharge limitations may apply in the event that unexpected discharges occur.

Discharge rates for surface mining activities are precipitation driven. Discharge rates for proposed discharges associated with underground mining are noted in the permit description.

Persons wishing to comment on an NPDES draft permit should submit a written statement to the Department at the address of the district mining office indicated before each draft permit within 30-days of this public notice. Comments received within the comment period will be considered in the final determinations regarding the NPDES permit applications. Comments must include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department will also accept requests or petitions for a public hearing on NPDES permit applications, as provided in 25 Pa. Code § 92a.82(d). The request or petition for a public hearing shall be filed within 30-days of this public notice and contain the name, address, telephone number and the interest of the party filing the request and state the reasons why a hearing is warranted. A public hearing may be held if the Department considers the public interest significant. If a hearing is scheduled, a notice of the hearing on the NPDES permit application will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. When a public hearing is held, the Department will consider comments from the public hearing in the final determination on the NPDES permit application.

Noncoal NPDES Draft Permits

Knox District Mining Office: White Memorial Building, P.O. Box 669, Knox, PA 16232-0669, (814) 797.1191, (Contact: Cayleigh Boniger).

NPDES No. PA0259551 (Permit No. 37140301). Amerikohl Aggregates, Inc. (202 Sunset Drive, Butler, PA 16001) renewal of an NPDES permit for a large industrial mineral surface mine in Wayne Township, **Lawrence County**, affecting 239.4 acres. Receiving streams: Unnamed tributary to Squaw Run, Squaw Run, unnamed tributary to Connoquenessing Creek, and Connoquenessing Creek, classified for the following uses: WWF. TMDL: Duck Run. Application received: April 6, 2020.

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

The following outfall discharges to Squaw Run:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
005	N

The proposed effluent limits for the previously listed outfall 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
Alkalinity greater than acidity ¹				
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		0.75	0.75	0.75
Total Suspended Solids (mg/l)		35.0	70.0	90.0

¹ The parameter is applicable at all times.

The following outfalls discharges to unnamed tributary to Squaw Run:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
006	N
010	N

The proposed effluent limits for the previously listed outfalls 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
Alkalinity greater than acidity ¹				
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		0.75	0.75	0.75
Total Suspended Solids (mg/l)		35.0	70.0	90.0

¹ The parameter is applicable at all times.

The following outfalls discharge to unnamed tributary to Connoquenessing Creek and Connoquenessing Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
007	N
008	N
009	N

The proposed effluent limits for the previously listed outfalls 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
Alkalinity greater than acidity ¹				
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		2.0	4.0	5.0
Total Suspended Solids (mg/l)		35.0	70.0	90.0

¹ The parameter is applicable at all times.

The following outfalls discharge to unnamed tributary to Connoquenessing Creek and Connoquenessing Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
001	N
002	N
003	N
004	N
011	N

The proposed effluent limits for the previously listed outfalls 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
Alkalinity greater than acidity ¹				
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		2.0	4.0	5.0
Total Suspended Solids (mg/l)		35.0	70.0	90.0

¹ The parameter is applicable at all times.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. 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 the hours of 8:00 AM and 4:00 PM on each working day at the office noted above the application.

If you are a person with a disability and wish to attend the hearing and you require an auxiliary aid, service or other accommodation to participate in the proceedings, please contact the specified program. TDD users may

contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

WATER OBSTRUCTIONS AND ENCROACHMENTS

Applications Received Under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27) and Section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and Requests for Certification Under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

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

E4104220-025. NBPP LLC Residence, 111 Church Street, Waterville, PA 17776, in Cummings Township, **Lycoming County**, ACOE District (Waterville, PA Quadrangle N: 41° 18' 29.3" ; W: 77° 21' 50.9").

This project proposes to: demolish existing residential structure and construct a new residential structure. The new structure will be in the same footprint of the existing structure and will not increase the floodway obstruction for either Pine Creek or Little Pine Creek.

ENVIRONMENTAL ASSESSMENTS

Northwest Region: Waterways and Wetlands Program, 230 Chestnut Street, Meadville, PA 16335-3481.

EA2006220-021, PA DCNR, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105. Messeral Bridge Removal, in Oil Creek Township, **Crawford County**, ACOE Pittsburgh District (Titusville South, PA Quadrangle N: 41°, 37', 20.71"; W: -79°, 38', 11.89").

To remove the existing 103-foot wrought iron thru truss that spans Pine Creek is Oil Creek Township, Crawford County. The bridge will be rehabilitated and installed at a location in Pymatuning State Park across Linesville Creek as part of a pedestrian trail extension project. No wetland impacts are proposed from the bridge removal.

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—691.1001) 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 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, P.O. 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.

Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401, Phone: 484.250.5970.

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed)	EPA Waived Y/N?
PA0244465 (Storm Water)	Royersford PA Bulk Petroleum Storage Plant P.O. Box 699 Royersford, PA 19468-0699	Montgomery County Limerick Township	Unnamed Tributary to Mingo Creek (WWF, MF) 3-D	Yes

Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, Email: RA-EPNPDES_SCRO@pa.gov.

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N
PA0248185 A-1 (Sewage) Issued	Jackson Township STP 60 N Ramona Road Myerstown, PA 17067-2149	Lebanon County Jackson Township	Unnamed Tributary to Tulpehocken Creek (CWF) Watershed(s) (3-C)	Yes
PA0080004 (Sewage) Issued	Gibble Foods Manufacturing Snack Plant 6647 Molly Pitcher Highway Chambersburg, PA 17202-7713	Franklin County Antrim Township	Unnamed Tributary of Conococheague Creek (WWF, MF) Watershed(s) (13-C)	Yes

Southwest Region: Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Email: RA-EPNPDES_SWRO@pa.gov.

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N
PA0205796 (Sewage)	Wilpen Fire Co. STP 379 Wilpen Road Ligonier, PA 15658	Westmoreland County Ligonier Township	Unnamed Tributary of Hannas Run (CWF) (18-C)	Yes

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

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

NPDES Permit PA0050105, Sewage, **Lower Frederick Township Montgomery County**, 53 Spring Mount Road, Schwenksville, PA 19473-1738.

This existing facility is located in Lower Frederick Township, **Montgomery County**.

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

NPDES Permit PA0058963, Storm Water, **Eureka Stone Quarry Inc.**, 851 County Line Road, Huntingdon Valley, PA 19006-1111.

This existing facility is located in Telford Borough, **Bucks County**.

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

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

Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, Email: RA-EPNPDES_SCRO@pa.gov.

WQM Permit No. 0687201, Industrial, SIC Code 4911, **Genon Rema LLC**, 315 Riegelsville Road, Milford, NJ 08848.

This existing facility is located in Cumru Township, **Berks County**.

Description of Proposed Action/Activity: Termination. Coal Pile Runoff Basins. Groundwater Monitoring Wells can be abandoned.

WQM Permit No. 2203401 A1, Sewerage, SIC Code 4952, **Derry Township Municipal Authority**, 670 Clearwater Road, Hershey, PA 17033-2453.

This existing facility is located in Derry Township, **Dauphin County**.

Description of Proposed Action/Activity:

This amendment approves the modification and operation of sewage facilities consisting of:

- Re-rate organic loading capacity of the treatment plant

WQM Permit No. 6706411 A-4, Sewerage, SIC Code 4952, **The York Water Co.**, 130 E Market Street, York, PA 17401-1219.

This existing facility is located in Lower Windsor Township, **York County**.

Description of Proposed Action/Activity:

This amendment approves the modification and of sewage facilities consisting of:

1. Modifying the approved design such that new sludge holding tanks will be constructed in lieu of modifying existing structures for the same purpose. The effective sludge holding volume (70,700 gallons) is unchanged from the original design.

2. The addition of a soda ash feed system (with related appurtenances) for alkalinity supplementation is proposed.

3. The replacement of the existing UV disinfection system is proposed instead of modifying the existing system. The proposed system is a Trojan 3200K-PTP rated for at least 0.175 mgd of flow.

4. The aeration system will be modified such that separate air lines will be extended to each aeration train in lieu of manifolding the supply lines together.

5. A post-disinfection re-aeration basin downstream of the UV disinfection units is proposed to meet the facility's DO limits.

WQM Permit No. 3886404 A3, Sewerage, SIC Code 4952, **Summit International School of Ministry**, 74 Harrison School Road, Grantville, PA 17028-8222.

This existing facility is located in East Hanover Township, **Lebanon County**.

Description of Proposed Action/Activity:

This amendment approves the modification of sewage facilities consisting of:

- Elimination of tertiary filter from the treatment system at the site

WQM Permit No. 0620402, Sewerage, SIC Code 1623, **Douglass Township Berks County**, 1068 Douglass Drive, Boyertown, PA 19512.

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

Description of Proposed Action/Activity:

This permit approves the construction of sewage facilities consisting of:

- Meter Pit
- Flow Meter

WQM Permit No. 6720401, Sewerage, SIC Code 4952, **Hudson Rdg.**, 1454-A Baltimore Street, Hanover, PA 17331.

This existing facility is located in York Township, **York County**.

Description of Proposed Action/Activity:

This permit approves the construction of sewage facilities consisting of:

A new sewer extension from the proposed 454 EDU Hudson Ridge residential community (Chapel Church Road and Yoe Drive, York Township) to an existing sewer main at MH 657 operated by Windsor Township and located in York Township.

Southwest Region: Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Email: RA-EPNPDES_SWRO@pa.gov.

WQM Permit No. 0471411 A-3, Sewage, **Monaca Borough Beaver County**, 928 Pennsylvania Avenue, Monaca, PA 15061-1800.

This existing facility is in Monaca Borough, **Beaver County**.

Description of Proposed Action/Activity: Secondary clarifier improvements at the Monaca WWTP.

IV. NPDES Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4) Individual Permits Issued.

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

NPDES Permit No.	Permittee Name & Address	Municipality, County	Receiving Water(s)/Use(s)	TMDL Plan Submitted (Y/N)	Pollutant Reduction Plan Submitted (Y/N)
PAI130033	Warrington Township 852 Easton Road Warrington, PA 18976	Warrington Township Bucks County	Mill Creek (TSF, MF), Little Neshaminy Creek (WWF, MF), Unnamed Tributary to Neshaminy Creek (TSF, MF), Trib # 3 of Neshaminy Creek (TSF, MF)	Y	Y
PAI130037	Newtown Township 100 Municipal Drive Newtown, PA 18940-3900	Newtown Township Bucks County	Unnamed Tributary to Neshaminy Creek (WWF, MF), Neshaminy Creek, (WWF, MF), Houghs Creek (WWF, MF), Core Creek (CWF, MF) and Newtown Creek (WWF, MF)	N	Y

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-01	General Permit for Discharges for Stormwater Discharges Associated with Small Construction Activities.
PAG-02	General Permit for Discharges of Stormwater Associated with Construction Activities
PAG-03	General Permit for Discharges of Stormwater from Industrial Activities
PAG-04	General Permit for Discharges from Small Flow Treatment Facilities
PAG-05	General Permit for Discharges from Petroleum Product Contaminated Groundwater Remediation Systems
PAG-06	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems (CSO)
PAG-07	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-08	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-08 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-08 General Permit Coverage
PAG-09	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-09 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-09 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, 570-826-2511.

Contact: Gillian Ostrum, Clerk Typist 2, 570-830-3077.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone Number</i>
PAC480092 A-1 Authorization/ Issuance	Robert De Beer Peron Development LLC 60 W Broad St Ste 99d Bethlehem, PA 18018	Northampton	Bethlehem City	Lehigh River (WWF, MF)	Northampton County Conservation District 14 Gracedale Ave Greystone Building Nazareth, PA 18064-9211 610-829-6276

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

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Facility Location: Municipality & County</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
PAC140099	1751 N. Atherton St Associates, LP 210 West Hamilton Ave Suite 360 State College, PA 16803	Patton Twp Centre Cnty	UNT Big Hollow CWF	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte, PA 16823 (814) 355-6817
PAC170038	Frances J. Palo Inc. 309 South Fourth Ave Clarion, PA 16214	Bradford Twp Clearfield Cnty	Sulphur Run CWF	Clearfield County Conservation District 511 Spruce St Ste 6 Clearfield, PA 16830 (814) 765-2629
PAC600053	Arthur Keister 211 River Breeze Ave Winfield, PA 17889	White Deer Twp Union Cnty	UNT to West Branch Susquehanna River WWF	Union County Conservation District Union County Government Center 155 N 15th St Lewisburg, PA 17837 (570) 524-3860

Northwest Region: Waterways & Wetlands Program, 230 Chestnut Street, Meadville, PA 16335-3481.

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Facility Location: Municipality & County</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
PAC320041	Pennsylvania American Water Company 425 Waterworks Road Clarion, PA 16214	White Township Indiana County	UNT to Ramsey Run CWF	Indiana County Conservation District 280 Indian Springs Road Suite 124 Indiana, PA 15701 724-471-4751

General Permit Type—PAG-03

Southwest Region: Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Email: RA-EPNPDES_SWRO@pa.gov.

Correction

Permit No.	Applicant Name & Address	Facility Location:		Receiving Water/Use	Contact Office & Phone No.
		Municipality & County			
PAG036226 A-1	Wheeling & Lake Erie Railway Co. 100 E First Street Brewster, OH 44613-0000	Green Tree Borough Allegheny County		Unnamed Tributary to Chartiers Creek (WWF) 20-F	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000

General Permit Type—PAG-10

Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, Email: RA-EPNPDES_SCRO@pa.gov.

Permit No.	Applicant Name & Address	Facility Location:		Receiving Water/Use	Contact Office & Phone No.
		Municipality & County			
PAG103584 Issued	Texas Eastern Transmission LP 890 Winter Street Suite 320 Waltham, MA 02451-1470	East Hanover Township Dauphin County		Unnamed Tributary to Bow Creek (WWF, MF) in Watershed(s) 7-D	Clean Water Program 717-705-4812

STATE CONSERVATION COMMISSION

NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs

The State Conservation Commission has taken the following actions on previously received applications for nutrient management plans under 3 Pa.C.S. Chapter 5, for agricultural operations that have or anticipate submitting applications for new, amended or renewed NPDES permits or NOIs for coverage under a general permit for CAFOs under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Persons aggrieved by an action may appeal under 3 Pa.C.S. § 517, section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704 to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decision law.

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

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

NUTRIENT MANAGEMENT PLAN

CAFO PUBLIC NOTICE SPREADSHEET—ACTIONS

Agricultural Operation Name and Address	County	Total Acres	AEU's	Animal Type	Special Protection Waters (HQ or EV or NA)	Approved or Disapproved
Daniel Lukens 7075 Old Stage Rd. McClure, PA 17841	Mifflin	2.7	363.45	Swine	NA	Approved
Country View Family Farm, LLC Pine Hill Farm 2547 Hickory Road Columbia Crossroads, PA 16914	Bradford	260	3,632.40	Swine	NA	Approved

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Country View Family Farm, LLC VanBlarcom Sow Farm 2271 Fairbanks Road Columbia Crossroads, PA 16914	Bradford	18	3,001.95	Swine	NA	Approved
Gerald Musser Providence Egg Producers 118 Killinger Road Annville, PA 17003	Lebanon	56	793.36	Poultry	NA	Approved
Troy Miller 170 Werner Road Fredericksburg, PA 17026	Lebanon	106.4	289.51	Broiler	NA	Approved
Leon Snyder Misty Glen Properties 150 Hain Avenue Lebanon, PA 17046	Lebanon	86.9	1,884.0	Layer	NA	Approved

PUBLIC WATER SUPPLY PERMITS

The Department has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. 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).

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

Contact: Mark R. Stephens, P.G., 570-327-3422.

Adams Township Municipal Authority (Public Water Supply), **Snyder County:** On April 13, 2020, the Safe

Drinking Water Program approved the Source Water Protection (SWP) plan for the Adams Township Municipal Authority community water system. The personnel involved with the development of this SWP are to be commended for taking these proactive steps to protect these water sources for their community. Development of the SWP plan was funded by the Department of Environmental Protection.

Spring Township Water Authority (Public Water Supply), **Centre County:** On March 25, 2020, the Safe Drinking Water Program approved the Source Water Protection (SWP) plan for the Spring Township Water Authority community water system. The personnel involved with the development of this SWP are to be commended for taking these proactive steps to protect these water sources for their community. Development of the SWP plan was funded by the Department of Environmental Protection.

Freeburg Municipal Authority (Public Water Supply), **Snyder County:** On April 14, 2020, the Safe Drinking Water Program approved the Source Water Protection (SWP) plan for the Freeburg Municipal Authority community water system. The personnel involved with the development of this SWP are to be commended for taking these proactive steps to protect these water sources for their community. Development of the SWP plan was funded by the Department of Environmental Protection.

The Gardens at Orangeville (Public Water Supply), **Columbia County:** On April 28, 2020, the Safe Drinking Water Program approved the Source Water Protection (SWP) plan for The Gardens at Orangeville community water system. The personnel involved with the development of this SWP are to be commended for taking these proactive steps to protect these water sources for their community. Development of the SWP plan was funded by the Department of Environmental Protection.

SEWAGE FACILITIES ACT PLAN APPROVAL

Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act, Act of January 24, 1966, P.L. 1535, as amended, 35 P.S. § 750.5.

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Lawrence Township	45 George Street Clearfield, PA 16830	Clearfield
Clearfield Borough	16 South Front Street Clearfield, PA 16830	Clearfield

Plan Description: The approved plan provides for the Clearfield Municipal Authority (CMA) acquiring the sewage collection and conveyance systems currently owned and operated by Lawrence Township (Township) and Clearfield Borough (Borough). The plan also includes CMA acquiring the existing sewerage related debt of both the Borough and Township, consisting of approximately \$16,865,148 in Pennvest loans currently owed by the Borough, and \$5,521,913 in Pennvest and bank loans currently owed by the Township. Upon completion of all asset transfer arrangements and agreements, CMA will own, operate and maintain the entire collection, conveyance and treatment systems in the Borough and Township. CMA will be responsible for implementation of the existing Consent Order and Agreement with the Department, which requires permanent closure of the Montgomery Run Sanitary Sewer Overflow. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 2

The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.908).

Provisions of 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:

Northeast Region: Environmental Cleanup & Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Stewart Silk Mill, 620 Coal Street, Easton City, **Northampton County**. Moonstone Environmental, LLC, 1150 Glenlivet Drive, Suite A-23, Allentown, PA 18106, on behalf of TCH Realty & Development Company, 900 South Avenue, Suite 300, Staten Island, NY 10314, submitted a combined Risk Assessment and Final Report concerning remediation of soil at this former industrial and manufacturing site was contaminated with metals, volatile organic compounds, semi-volatile organic compounds, and polychlorinated biphenyls. The report is intended to document plans to remediate the site to meet a combination of Site-Specific and Statewide Health Standards.

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:

Southeast Region: Environmental Cleanup Program Manager, 2 East Main Street, Norristown, PA 19401.

Philadelphia Gas Works-Passyunk Facility-Naphtha Tank Area, 3100 Passyunk Avenue, City of Philadelphia, **Philadelphia County**, Tim Silar, P.G., Silar Services Inc., 3213 Back Acres Road, Efland, NC 27243 on behalf of Kevin Grooms, Philadelphia Gas Works, 800 West Montgomery Avenue, Philadelphia, PA 19122 submitted a Cleanup Plan/Final Report concerning the remediation of site soil contaminated with benzene, ethylbenzene, toluene, styrene, xylenes and naphthalene. The Final Report demonstrated attainment of the non-residential site-specific standard and was approved by the Department on June 15, 2020.

Moses Residence, 114 West Barnard Street, Borough of West Chester, **Chester County**. Alyssa Suder, Trident Environmental, 1856 Route 9, Toms River, NJ 08732 on behalf of Ken Matteson, Nationwide Agribusiness Insurance, P.O. Box 182067, Columbus, OH 43218-2067 submitted a Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the residential Statewide health standard and was approved by the Department on June 16, 2020.

Tioga Marine Terminal Pier 179 North, 330 North Delaware Avenue, City of Philadelphia, **Philadelphia County**. Gregory Rosenzweig, PG, Groundwater and Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341 on behalf of Richard Sherman, Kinder Morgan Liquids Terminal, LLC, 1 Terminal Road, Carteret, NJ 07008 submitted a Final Report concerning the remediation of site soil and groundwater contaminated with unleaded gasoline. The Final Report demonstrated attainment of the non-residential Statewide health standard and was approved by the Department on June 3, 2020.

Northeast Region: Environmental Cleanup & Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Saint Timothy's Lutheran Church, 140 South Ott Street, Allentown, PA 18104, Allentown City, **Lehigh County**. JMT Industrial & Environmental Contracting Services, 710 Uhler Road, Easton, PA 18040, on behalf of

Saint Timothy's Lutheran Church, 140 South Ott Street, Allentown, PA 18104, submitted a final report concerning remediation of soil contaminated by a release of heating oil from an underground storage tank. The report documented remediation of the site to meet Statewide Health Standards and was approved by DEP on June 20, 2020.

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

Hake's Grocery & Filling Station—Estate of Esther M. Hake, 898 Canal Road, Dover, PA 17315, Conewago Township, **York County**. BL Companies, 4242 Carlisle Pike, Suite 260, Camp Hill, PA 17011, on behalf of Douglas P. France, Esquire, 2675 Eastern Boulevard, York, PA 17402, and Ricky Hake, 898 Canal Road, Dover, PA 17315, submitted a Remedial Investigation Report and Cleanup Plan concerning remediation of site soil and groundwater contaminated with historic impacts from leaded and unleaded gasoline. The Report and Plan were approved by the Department on June 8, 2020.

Lincoln Nursery Property, Exeter Township, **Berks County**. Environmental Maintenance Company, Inc., 1420 East Mermaid Lane, Glenside, PA 19038, on behalf of Borough of South Coatesville, 136 Modena Road, South Coatesville, PA 19320, and Lincoln Nursery Corporation, P.O. Box 264, Birdsboro, PA 19508, submitted a Final Report concerning remediation of site soil and groundwater contaminated with hydraulic fuel. The Final Report was administratively incomplete and was disapproved by the Department on June 17, 2020.

Thomasville Quarry, 555 South Biesecker Road, Thomasville, PA 17364, Jackson Township, **York County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of Pennsy Supply, 2400 Thea Drive, Suite 3A, submitted a Final Report concerning remediation of site soil contaminated with diesel fuel. The Final Report demonstrated attainment of the Residential Statewide Health Standard and was approved by the Department on June 16, 2020.

Titus Combustion Turbine Site, Tract 5, 296 Poplar Neck Road, Birdsboro, PA 19508, Cumru Township, **Berks County**. GES, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of GenOn, 315 Riegelsville Road, Milford, NJ 08848, submitted a Remedial Investigation Report and Cleanup Plan concerning remediation of site groundwater contaminated with No. 2 fuel oil and lubricating oil. The Report and Plan were approved by the Department on June 17, 2020.

INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE

Actions on applications for Infectious and Chemotherapeutic Waste Transporter License received under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003) and Act 93 of June 28, 1988 (P.L. 525, No. 93) and regulations to transport infectious and chemotherapeutic waste.

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

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Thomas Bianca, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.

67-05120A: Magnesita Refractories Co. (425 South Salem Church Road, York, PA 17408-5955) on June 18,

2020, for the quarry operation associated with the refractories manufacturing facility in West Manchester Township, **York County**. Plan Approval No. 67-05120A will authorize installation of a replacement primary crusher circuit. The replacement of the crushing circuit will not change the throughput capacity of 700 tph limestone and will be controlled by a wet suppression system as required. The plan approval was extended.

HAZARDOUS WASTE TREATMENT, STORAGE & DISPOSAL FACILITIES

Permits issued, suspended, expired, denied, revoked, reinstated or returned under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage, or Disposal Facility.

Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110.

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Thomas Bianca, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.

06-05063: Boyertown Foundry Co. (Ninth Street & Rothermel Drive, P.O. Box 443, New Berlinville, PA 19545-0443) on June 16, 2020, for the gray iron foundry located in Boyertown Borough, **Berks County**. The Title V permit was renewed.

HAZARDOUS WASTE TREATMENT, STORAGE & DISPOSAL FACILITIES

Draft permits issued, revised or withdrawn under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage, or Disposal Facility.

Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110.

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Thomas Bianca, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.

01-03017: Premier Magnesia LLC (75 Giles Pl., Waynesville, NC 28786-1938) on June 17, 2020, for the mineral ore milling facility in Menallen Township, **Adams County**. The State-Only Permit was renewed.

06-05016: Grafika Commercial Printing, Inc. (710 Johnston Street, Sinking Spring, PA 19608-1437) on June 15, 2020, for the printing facility in the Borough of Sinking Spring, **Berks County**.

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.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.

Contact: Muhammad Q. Zaman, Program Manager, (570) 327-3648.

AG5-08-00006A: HEP Pennsylvania Gathering, LLC (16211 LaCantera Parkway, Suite 202, San Antonio, TX 78256) on June 18, 2020, to continue to operate three (3) dehydrators and two (2) storage tanks at the Stagecoach facility pursuant to the General Plan Approval and/or General Operating Permit for Compression Stations, Processing Plants and Transmission Stations (BAQ-GPA/GP-5) located in Herrick Township, **Bradford County**.

Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Contact: Edward Orris, New Source Review Chief, 412.442.4168.

GP3-63-00963C: Boord, Benchek, and Associates, Inc. (345 Southpointe Boulevard, Suite 202, Canonsburg, PA 15317) on June 17, 2020, to allow the construction and operation of one (1) Jaw Crusher rated at 400 tph, one (1) vibratory screen rated at 300 tph, and four (4) conveyors at their Ostop/Schneider Borrow Site located in Smith Township, **Washington County**.

GP9-63-00963B: Boord, Benchek, and Associates, Inc. (345 Southpointe Boulevard, Suite 202, Canonsburg, PA 15317) on June 17, 2020, to allow the construction and operation of one (1) Cummins diesel engine rated at 305 tph, and one Deutz diesel engine rated at 74 bhp at their Ostop/Schneider Borrow Site located in Smith Township, **Washington County**.

Plan Approvals Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.

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

Contact: David Balog, New Source Review Chief—Telephone: 814-332-6940.

03-00975D: Armstrong Power, LLC (2313 State Route 156, Shelocta, PA 15774-3005) on June 18, 2020 issued a plan approval that authorizes the increase in the total combined natural gas consumption limit for all turbines to 16.688 x 109 standard cubic feet per consecutive 12-month rolling total, an increase in the turbine Volatile Organic Compound (VOC) emission rate (lb/hr) to 3.2 lb/hr, and a request for decreasing the Particulate Matter less than 2.5 micrometers (PM_{2.5}) emission rate (lb/hr) to 14 lb/hr located at their Armstrong Power Electric Generating Station in South Bend Township, **Armstrong County**. This is a Title V facility.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110.

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Thomas Bianca, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.

67-05120A: Magnesita Refractories Co. (425 South Salem Church Road, York, PA 17408-5955) on June 18,

2020, for the quarry operation associated with the refractories manufacturing facility in West Manchester Township, **York County**. Plan Approval No. 67-05120A will authorize installation of a replacement primary crusher circuit. The replacement of the crushing circuit will not change the throughput capacity of 700 tph limestone and will be controlled by a wet suppression system as required. The plan approval was extended.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.

Contact: Muhammad Q. Zaman, Program Manager; (570) 327-3648.

14-00002T: Graymont (PA) Inc. (375 Graymont Rd., Bellefonte, PA 16823) on June 16, 2020, to extend the plan approval expiration date to December 28, 2020 to authorize continued operation of several sources for the production of quicklime and hydrated lime at the Pleasant Gap facility in Spring Township, **Centre County**.

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

Contact: David Balog, New Source Review Chief—Telephone: 814-332-6940.

24-131S: SGL Carbon LLC (900 Theresia Street, Saint Mary's, PA 15857) on June 1, 2020, effective June 1, 2020, has issued a plan approval extension for the construction and operation of a replacement scrubber control device in Saint Mary's City, **Elk County**. This is a State Only facility. This will expire on November 27, 2020.

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

Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110.

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Thomas Bianca, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.

06-05063: Boyertown Foundry Co. (Ninth Street & Rothermel Drive, P.O. Box 443, New Berlinville, PA 19545-0443) on June 16, 2020, for the gray iron foundry located in Boyertown Borough, **Berks County**. The Title V permit was renewed.

Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.

Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110.

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Thomas Bianca, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.

01-03017: Premier Magnesia LLC (75 Giles Pl., Waynesville, NC 28786-1938) on June 17, 2020, for the mineral ore milling facility in Menallen Township, **Adams County**. The State-Only Permit was renewed.

06-05016: Grafika Commercial Printing, Inc. (710 Johnston Street, Sinking Spring, PA 19608-1437) on June 15, 2020, for the printing facility in the Borough of Sinking Spring, **Berks County**.

Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Contact: Thomas Joseph, Facilities Permitting Chief, 412.442.4336.

OP-11-00090: DLP Conemaugh Memorial Medical Center, LLC (1086 Franklin Street, Johnstown, PA 15905). On June 17, 2020, the Department issued a renewal State Only Synthetic Minor Operating Permit for operation of the Conemaugh Medical Center located in the City of Johnstown, **Cambria County**. Equipment at this facility includes three (3) 29.2 MMBtu/hr natural gas-fired water tube boilers with No. 2 fuel oil as back-up and one (1) 20.9 MMBtu/hr natural gas-fired back-up boiler which also has the capability to burn fuel oil in the event of natural gas curtailment. There are also eight (8) diesel-fired and three (3) natural gas-fired emergency generators located at the hospital. The facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145. The proposed Operating Permit contains applicable emission limits, as well as testing, monitoring, recordkeeping, work practice standards, and reporting requirements.

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

Contact: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6940.

03-00271: Diversified Products LLC, Stubrick Compressor Station (101 McQuiston Drive, Jackson Center, PA 16133). On June 17, 2020 the Department issued a Natural Minor State Only Operating Permit for compression and transfer of natural gas located in Valley Township, **Armstrong County**. The subject facility consists of a 99 hp 4SRB gas compressor engines, a 50 Bbl Tank for produced water, venting/blow downs, pneumatic devices, and fugitive emissions. The actual emissions reported (TPY) for 2019 were: 17.79 NO_x, 6.19 CO, 0.25 VOC, 0.0002 SO_x, 0.0033 PM, 0.078 Formaldehyde, and 309.46 CO₂. The facility is subject to State Regulations and Federal Regulations (40 CFR Part 63 Subpart ZZZZ). The permit includes additional operation requirements, monitoring requirements, and recordkeeping requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

32-00444: Diversified Products LLC, McCoy Compressor Station (101 McQuiston Drive, Jackson Center, PA 16133). On June 17, 2020 the Department issued a Natural Minor State Only Operating Permit for compression and transfer of natural gas located in Green Township, **Indiana County**. The subject facility consists of a 72.3 hp 4SRB gas compressor engines, a 50 Bbl Tank for produced water, venting/blow downs and fugitive emissions. The actual emissions reported (TPY) for 2019 were: 14.53 NO_x, 5.05 CO, 0.16 VOC, 0.0013 SO_x, 0.021 PM, 0.047 Formaldehyde, and 252.73 CO₂. The facility is subject to State Regulations and Federal Regulations (40 CFR Part 63 Subpart ZZZZ). The permit includes additional operation requirements, monitoring requirements, and recordkeeping 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 215-685-9426.

The City of Philadelphia, Air Management Services (AMS) issued on June 17, 2020 a renewal for a Minor State Only Operating Permit for the following facility:

OP20-000002: St. Christopher's Hospital for Children (160 East Erie Avenue, Philadelphia, PA 19134) for the operation of a hospital facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include the following:

- One (1) boiler rated at 6.695 MMBtu/hr, one (1) boiler rated at 10.042 MMBtu/hr, and one (1) boiler rated at 20.923 MMBtu/hr, each firing natural gas or No. 2 fuel oil.
- One (1) boiler rated at 0.81 MMBtu/hr and one (1) boiler rated at 1.51 MMBtu/hr, each firing natural gas.
- Four (4) emergency generators firing diesel fuel oil: two (2) rated 1,620 HP, one rated at 2,346 HP, and one (1) rated 290 HP.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.31); 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); the Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to such applications will also address the application permitting requirements of the following statutes; the Air Quality Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003).

Coal Permits Issued

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900, (Contact: Melanie Wigfield).

Permit 11813039 and NPDES No. PA0125474. Cooney Brothers Coal Co., P.O. Box 246, Cresson, PA 16630, permit renewal for the reclamation only of a bituminous surface mine in Adams Township, **Cambria County**, affecting 1,353 acres. Receiving streams: unnamed tributary to/and Paint Creek; unnamed tributary to/and Sulphur Creek, classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: March 27, 2020. Permit issued: June 15, 2020.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118, (Contact: Theresa Reilly-Flannery).

Permit No. 40110201T. Stell Enterprises, Inc. (16 East Ann Street, Plains, PA 18705), transfer of an existing anthracite surface mine, coal refuse reprocessing and coal refuse disposal in Avoca and Dupont Boroughs, **Luzerne County** affecting 25.3 acres. Receiving stream: Mill Creek. Application received: October 25, 2019. Transfer issued: June 18, 2020.

Permit No. PAM119024. Stell Enterprises, Inc. (16 East Ann Street, Plains, PA 18705), coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface

Mining Permit No. 40110201 in Dupont and Avoca Boroughs, **Luzerne County**, receiving stream: Mill Creek. Application received: October 25, 2019. Permit issued: June 18, 2020.

Noncoal Permits Issued

New Stanton District Office: P.O. Box 133, New Stanton, PA 15672, 724-925-5500, (Contact: Tracy Norbert).

03122001 and NPDES Permit No. PA0252417. Allegheny Mineral Corporation, P.O. Box 1022, Kittanning, PA 16201. Renewal application for continued mining to an existing large noncoal surface mine located in West Franklin Township, **Armstrong County** and Clearfield and Winfield Townships, **Butler County**, affecting 193.3 acres. Receiving stream(s): unnamed tributaries to Buffalo Creek and Buffalo Creek. Application received: July 15, 2019. Permit issued: June 18, 2020.

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

Moshannon District Mining Office, 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200, (Contact: Ashley Smith).

08204101. John H Brainard, P.O. Box 66, Clifford, PA 18413-0066. Blasting for mine/quarry located in Athens Township, **Bradford County** with an expiration date of December 31, 2020. Permit issued: June 16, 2020.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2522, 570.621.3118, (Contact: Theresa Flannery).

Permit No. 40204110. John H. Brainard (P.O. Box 66, Clifford, PA 18413), construction blasting for Andy Bloom house foundation in Hunlock Township, **Luzerne County** with an expiration date of December 31, 2020. Permit issued: June 16, 2020.

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 the applicable provisions of Sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317), and that the construction will not violate applicable Federal and State Water Quality Standards.

Any person aggrieved by these actions may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. Section 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact

the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing 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 any right of appeal beyond that permitted by applicable statutes and decisional law.

If you want to challenge this action, your appeal must reach the Board within 30-days. You do not need a lawyer to file an appeal with the Board.

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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.

Southeast Region: Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5160, E-mail: ra-epww-sero@pa.gov.

Permit No. E0901220-023, PECO Energy Company, 2301 Market Street, Philadelphia, PA 19103, New Hope Borough, **Bucks County,** ACOE Philadelphia District.

To construct and maintain 320 L.F. of a new 2-inch plastic gas main service line in and along the Delaware Canal crossing the Delaware Canal at the existing Southern Bridge at The River House at Odette's (E09-990).

The site is located at 274 South River Road (Latitude: 40.355505; Longitude: -74.948712) in New Hope Borough, Bucks County. Permit issued June 17, 2020.

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, P.O. 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.

Eastern Region: Oil and Gas Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.

ESCGP-3 # ESG294120007-00

Applicant Name Pennsylvania General Energy Company, LLC

Contact Person David Straub

Address 120 Market Street

City, State, Zip Warren, PA 16365-2510

County Lycoming

Township(s) Upper Fairfield and Fairfield

Receiving Stream(s) and Classification(s) Mill Creek and its Tributaries (HQ-TSF), Little Mill Creek and its Tributaries (HQ-TSF), UNT Twin Run (WWF)

Secondary: Loyalsock Creek (TSF, EV), Loyalsock Creek (TSF, EV), UNT Twin Run (WWF)

Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335.

ESCGP-3 # ESG080320003-00-Biblical Life Institute Well Site ESGP-2

Applicant MDS Energy Dev LLC

Contact Randy Morris

Address 409 Butler Rd, Ste A

City, State, Zip Kittanning, PA 16201-4403

County Armstrong

Township South Buffalo Township

Receiving Stream(s) and Classification(s) Trib 42615 to Pine Run HQ-TSF

Secondary: Pine Run HQ-TSF

ESCGP-3 # ESG080320002-00 Mudlick Well Site

Applicant Snyder Bros Inc.

Contact Carl Rose

Address P.O. Box 1022, One Glade Park East

City, State, Zip Kittanning, PA 16201

County Armstrong

Township Redbank

Receiving Stream(s) and Classification(s) Mahoning Creek (WWF), Trib 47325 to Mahoning Creek (WWF), and Little Mudlick Creek (WWF)

Secondary: Allegheny River (WWF) and Mahoning Creek (WWF).

**STORAGE TANKS
SITE-SPECIFIC INSTALLATION PERMITS**

The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P.S. §§ 6021.304, 6021.504, 6021.1101 and 6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C, have been issued by the Bureau of Environmental Cleanup and Brownfields, Director, P.O. Box 8763, Harrisburg, PA 17105-8763.

Bureau of Environmental Cleanup and Brownfields, 400 Market Street, Harrisburg, PA 17101.

SSIP Permit No.	Applicant Name & Address	County	Municipality	Tank Type	Tank Capacity
20-21-014	Penn State Health P.O. Box 855 Mail Code A330 Hershey, PA 17033 Attn: Marvin Smith	Cumberland	Hampden Township	3 ASTs storing diesel fuel	24,000 gallons total

**CORRECTIVE ACTION UNDER
ACT 32, 1989**

PREAMBLE 2

The following plans and reports were submitted under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).

Provisions of 25 Pa. Code Chapter 245 Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion 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 non-residential 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.

For further information concerning plans or reports, please contact the Environmental Cleanup Program Manager in the DEP 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 listed. TDD users may telephone the DEP through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

Northeast Region: Environmental Cleanup & Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Carriage Stop Plaza Sunoco, Storage Tank ID # 40-38017, 2500 East End Boulevard, Wilkes-Barre, PA 18702, Plains Township, **Luzerne County**. MEA, 1365

Ackermanville Road, Bangor, PA 18013, on behalf of Anup Patel, 2500 East End Boulevard, Wilkes-Barre, PA 18702, has submitted a combined Site Characterization Report and Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The report is intended to document remediation of the site to meet Statewide Health Standards.

**CORRECTIVE ACTION UNDER
ACT 32, 1989**

PREAMBLE 3

The DEP has taken action on the following plans and reports under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).

Provisions of 25 Pa. Code Chapter 245 Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports.

A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion 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 non-residential 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.

The DEP may approve or disapprove plans and reports submitted. This notice provides the DEP's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, please contact the Environmental Cleanup Program Manager in the DEP Regional Office under which the notice of the plan or report appears. If information concerning a report is required in an alternative form, contact the Community Relations Coordinator at the

appropriate Regional Office listed. TDD users may telephone the DEP through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The DEP has received the following plans and reports:

Southcentral Regional Office: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110, 717-705-4705.

Contact: Cynthia Stine, Licensed Professional Geologist.

Park Station, Storage Tank Facility ID # 29-60120, 29558 Great Cove Rd, Fort Littleton, PA 17223-9636, Dublin Township, **Fulton County**. McKee Environmental, Inc., 86 Quartz Drive, Bellefonte, PA 16823 on behalf of Park Station, 29558 Great Cove Rd, Fort Littleton, PA 17223-9636 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum constituents. The Remedial Action Plan was acceptable to meet a combination of the Statewide Health Standard and the Site-Specific Standard and was approved by DEP on June 17, 2020.

SPECIAL NOTICES

WATER MANAGEMENT

Termination of National Pollutant Discharge Elimination System (NPDES) Permit to Discharge to State Waters Public Notice.

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

WQM Permit No. 0687201, Industrial, SIC Code 4911, **Genon Rema LLC**, 315 Riegelsville Road, Milford, NJ 08848.

This existing facility is located in Cumru Township, **Berks County**.

Description of Proposed Action/Activity: Termination. Coal Pile Runoff Basins. Groundwater Monitoring Wells can be abandoned. Termination is effective June 8, 2020.

Proposed Total Maximum Daily Load (TMDL) for the Switzer Creek Watershed in Lehigh Count Request for Comment.

Central Office: Bureau of Clean Water, P.O. Box 8774, Harrisburg, PA 17105-8774.

The Department of Environmental Protection will accept comments on the proposed TMDLs developed for the Switzer Creek Watershed in Lehigh County. The TMDLs were established in accordance with the requirements of Section 303(d) of the Clean Water Act. The Pennsylvania Integrated Water Quality Monitoring and Assessment Report included impaired stream segments in the watershed. The listings of these segments were due to aquatic life use impairments caused by excessive siltation from agriculture.

There currently are no State or Federal in-stream numerical water quality criteria for sediment. Therefore, the Department utilized a reference watershed approach to implement the applicable narrative criteria. The proposed TMDL document sets allowable loading of sediment and nutrients in the Switzer Creek Watershed. The TMDLs included allocations for nonpoint sources, reserves for future point sources, as well as margin of safety factors. Nonpoint source load allocations were made for cropland, hay/pasture land and streambank source sectors present in the watershed. Data used in establishing the TMDL were primarily generated using a water quality analysis model (Model My Watershed) made available through the Stroud Water Research Center.

The following table shows the estimated current sediment loading within the watershed, the prescribed "TMDL" value, and % reductions needed under annual average conditions.

<i>Summary of "TMDL"—Based Load Reductions (expressed as annual averages) in the Switzer Creek Watershed</i>				
<i>Watershed</i>	<i>Pollutant</i>	<i>Existing Load (lbs/yr)</i>	<i>"TMDL" (lbs/yr)</i>	<i>% Reduction</i>
Switzer Creek	Sediment	2,510,749	2,053,651	18

The proposed TMDL document can be viewed at <http://www.dep.state.pa.us/dep/deputate/watermgt/wqp/wqstandards/tmdl/SwitzerCreekTMDL.pdf>.

Otherwise, copies of the proposed TMDL document or supporting information may be requested by emailing Scott Heidel at scheidel@pa.gov.

Written/typed comments will be accepted at the previously listed email address. Comment submissions must be submitted within 30 days after publication of this notice in the July 4, 2020 issue of the *PA Bulletin*. The Department will consider all written/typed comments submitted within the deadline prior to submitting the final TMDL to EPA for approval. To ensure timely receipt of comments given the office closure and work from home order, please do not mail hard copies of comments. Rather please submit them by email at scheidel@pa.gov. If comments cannot be emailed, please call Scott Heidel at 717.772.5647 to request another method of comment submission.

[Pa.B. Doc. No. 20-851. Filed for public inspection July 2, 2020, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Availability of Grants through the Driving PA Forward DC Fast Charging and Hydrogen Fueling Grant Program

The Department of Environmental Protection (Department) announces an opportunity to apply for up to \$1.8 million in grants offered through the DC Fast Charging and Hydrogen Fueling Grant Program (Program), one of the new Programs under the Driving PA Forward Initiative. This funding is available for light-duty zero emission vehicle supply equipment projects that will improve air quality and protect public health and the environment in this Commonwealth by reducing emissions through expanded use of DC fast charging infrastructure and hydrogen refueling infrastructure.

The Department is seeking applications for projects that will install DC fast charging or hydrogen fueling equipment in community hubs, transportation corridors and destinations, as defined in the Program guidelines. Funding is available for public and private entities that own or enter into agreements with the owner of one or more of these location types throughout this Commonwealth. These entities may include school districts, municipal authorities, political subdivisions, state agencies, nonprofit entities, corporations, limited liability companies or partnerships incorporated or registered in this Commonwealth, air quality or transportation organizations, and metropolitan or rural planning organizations.

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 Program guidelines and application instructions are available on the Department's Driving PA Forward webpage at www.dep.pa.gov/drivepafoward or by contacting the Bureau of Air Quality at ra-epvwmitigation@pa.gov or (717) 787-9495.

A recorded presentation providing an overview of the Program and application process will be available on the Department's Driving PA Forward webpage during the application period. Applicants can contact the Bureau of Air Quality at ra-epvwmitigation@pa.gov or (717) 787-9495 with questions or to request clarification about the presentation or the Program documents.

Applications must be submitted through the Department of Community and Economic Development's Electronic Single Application web site, eGrants at <https://www.esa.dced.state.pa.us/Login.aspx>. The Program will remain open continuously through February 26, 2021. The Department will review and score applications after each submission period end date. Submission period end dates are 4 p.m. on September 4, 2020, and February 26, 2021.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 20-852. Filed for public inspection July 2, 2020, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Bid Opportunity

OSM 02(1726,0385)102.1, Abandoned Mine Reclamation Project, Penn Hills, Penn Hills Township, Allegheny County. The principal items of work and approximate quantities include: removal and disposal of garage and solid waste disposal, 10 tons; diversion and care of water, 1 lump sum; boring, 250 linear feet; siphon pipe and siphoning process, 400 linear feet; polyethylene pipe, 200 linear feet; channel excavation, 65 cubic yards; cement concrete floor and driveway, 100 square yards; and replacement of garage, 1 lump sum.

This bid issues on June 26, 2020, and bids will be opened on July 23, 2020, at 2 p.m. Bid documents, including drawings in PDF format and AutoCAD Map 3D format, may be downloaded for free beginning on the issue date from the Department of Environmental Protection by going to www.BidExpress.com. This project is financed by the Federal government under the authority given it by the Surface Mining Control and Reclamation Act of 1977 (act) (30 U.S.C.A. §§ 1201—1328) and is subject to the act and to the Federal grant for this project. Contact the Construction Contracts Section at (717) 787-7820 or RA-ConstructionContr@pa.gov for more information on this bid. Note this is a Small Construction Business Program bid opportunity.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 20-853. Filed for public inspection July 2, 2020, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Citizens Advisory Council Virtual Meeting; Change to Meeting Start Time

In accordance with Governor Tom Wolf's emergency disaster declaration and based on advice from the Department of Health regarding the mitigation of the spread of the novel coronavirus (COVID-19), the Citizens Advisory Council (Council) meeting scheduled for Tuesday, July 21, 2020, will be held as a virtual meeting and will begin at 12:30 p.m. (previously scheduled to start at 10 a.m.)

Individuals who wish to join the meeting may do so remotely. Information will be provided on the Council's webpage. Individuals interested in providing public comments during the meeting must sign up prior to the start of the meeting by contacting Keith Salador at ksalador@pa.gov or (717) 787-8171.

Information on how to join the meeting, as well as agenda and meeting materials, will be available on the Council's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Citizens Advisory Council," then "Meetings").

Individuals are encouraged to visit the Council's webpage to confirm meeting date, time and location prior

to each meeting. Questions concerning the July 21, 2020, meeting can be directed to Keith Salador at ksalador@pa.gov or (717) 787-8171.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Keith Salador at (717) 787-8171 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 20-854. Filed for public inspection July 2, 2020, 9:00 a.m.]

DEPARTMENT OF HEALTH

Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.67(k) (relating to electric requirements for existing and new construction):

Villa Crest, LLC
1451 Frankstown Road
Johnstown, PA 15902
FAC ID # 24720201

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 previously listed address.

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 previously listed address or phone number, or for speech and/or hearing-impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

RACHEL L. LEVINE, MD,
Secretary

[Pa.B. Doc. No. 20-855. Filed for public inspection July 2, 2020, 9:00 a.m.]

DEPARTMENT OF HEALTH

Spinal Cord Research Advisory Committee Virtual Meeting

The Department of Health's Spinal Cord Research Advisory Committee (Committee), established by section 903.1(b) of the Tobacco Settlement Act (35 P.S. § 5701.903A(b)), will hold a public meeting on Thursday,

July 16, 2020, from 9:30 a.m. to 11 a.m. The meeting will be held virtually by means of Skype at +1 (267) 332-8737, conference ID: 245582025.

The purpose of the meeting is to review the work of the Committee and to continue the planning process to establish the spinal cord research priorities for the State Fiscal Year (FY) 2019-2020 as well as looking forward to FY 2020-2021.

For additional information or persons with disabilities who wish to attend the meeting and require an auxiliary aid, service or other accommodation, contact Penny E. Harris, MEd, CAC, LPC, Director, Health Research Office, or Pamela Brown, Management Technician, Health Research Office, (717) 231-2825, ra-healthresearch@pa.gov, by mail to the Health and Welfare Building, Room 833, 625 Forster Street, Harrisburg, PA 17120-0701, or for speech and/or hearing-impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

This meeting is subject to cancellation without notice.

RACHEL L. LEVINE, MD,
Secretary

[Pa.B. Doc. No. 20-856. Filed for public inspection July 2, 2020, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Designated Exceptional Durable Medical Equipment

In accordance with the Department of Human Services' (Department) currently approved State Plan, the Department is required to publish an annual list of exceptional Durable Medical Equipment (DME) by notice in the *Pennsylvania Bulletin* in July of each year for nursing facilities Statewide. Interested persons may petition the Department to consider additions to the exceptional DME list by submitting a written request to the Department. Requests received on or before December 31 will be considered in developing the list for the following July.

During calendar year 2019, the Department received a request to expand the requirements of the program, allowing additional individuals to be served under the program. In addition, the Department received a subsequent request to include additional items to the approved DME supplies list. The following requested items are currently covered by the program under ventilators and related supplies: Ambu bag and Mask, tubing (related to cost of transportation to medical appointments), Neb Tee with valve, adapter attached to Neb Tee adapter, Respiratory Medical Supply Bag—Yankauer, and Heat and Moisture Exchanging Filters—HMEF. The following requested items do not meet the definition of DME: mobile respiratory therapist services, maintenance contracts for ventilators owned by the nursing facility, and oxygen. For the following items, the requestor did not respond to the Department's request for additional information: portable vents related to ambulance transportation for medical appointments and Microtek Medical Waste Solidifiers. This notice makes no changes to the scope of the program, the acquisition cost or the list of qualifying DME.

"Exceptional DME" is defined as DME that has an acquisition cost of \$5,000 or more and is either specially

adapted DME or other DME that is designated as exceptional DME by the Department annually by notice in the *Pennsylvania Bulletin*.

“Specially Adapted DME” is DME that is uniquely constructed or substantially adapted or modified in accordance with the written orders of a physician for the particular use of one resident, making its contemporaneous use by another resident unsuitable.

The list of exceptional DME that has been designated by the Department is as follows:

(1) *Air fluidized beds*. The pressure relief provided by this therapy uses a high rate of airflow to fluidize fine particulate material (for example, beads or sand) to produce a support medium that has characteristics similar to liquid. It may have a Gore-Tex cover.

(2) *Powered air flotation bed (low air loss therapy)*. A semielectric or total electric bed with a fully integrated powered pressure-reducing mattress, which is characterized by all of the following:

(a) An air pump or blower with a series of interconnected woven fabric air pillows which provides sequential inflation and deflation of the air cells or a low interface pressure throughout the mattress allowing some air to escape through the support surface to the resident. It may have a Gore-Tex cover.

(b) Inflated cell height of the air cells through which air is being circulated is 5 inches or greater.

(c) Height of the air chambers, proximity of the air chambers to one another, frequency of air cycling (for alternating pressure mattresses) and air pressure provide adequate patient lift, reducing pressure and prevent bottoming out.

(d) A surface designed to reduce friction and shear.

(e) May be placed directly on a hospital bed frame.

(f) Automatically readjusts inflation pressures with change in position of bed (for example, head elevation).

(3) *Augmentative communication devices*. Used by residents who are unable to use natural oral speech as a primary means of communication. The specific device requested must be appropriate for use by the resident and the resident must demonstrate the abilities or potential abilities to use the device selected. Portable devices need to supplement, aid or serve as an alternative to natural speech for residents with severe expressive communication disorders. Nonportable devices may be covered only if required for visual enhancement or physical access needs that cannot be accommodated by a portable device.

(4) *Ventilators (and related supplies)*.

(a) Used by residents 21 years of age and older who require full ventilator support for a minimum of 8 hours per day to sustain life.

(b) Used by residents 20 years of age and younger who require ventilator support to sustain life (no minimum time requirement).

Effective Date

This notice is effective upon publication in the *Pennsylvania Bulletin*.

Public Comment

Interested persons are invited to submit petitions for the Department to consider additions to the exceptional DME list or written comments regarding these designated

DME items to the Department of Human Services, Office of Long-Term Living, Bureau of Policy Development and Communications Management, Attention: Danielle Cyphert, P.O. Box 8025, Harrisburg, PA 17105-8025, RA-NFcomments@pa.gov. Comments received within 30 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 by calling (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

TERESA D. MILLER,
Secretary

Fiscal Note: 14-NOT-1398. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 20-857. Filed for public inspection July 2, 2020, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Campground Cash Fast Play Game 5089

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name*: The name of the lottery game is Pennsylvania Campground Cash (hereinafter “Campground Cash”). The game number is PA-5089.

2. *Definitions*:

(a) *Authorized retailer or retailer*: A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar code*: The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *Game Ticket*: A bearer instrument produced through a Lottery Terminal that is the player’s record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(d) *Lottery Central Computer System*: The computer gaming system on which all Fast Play plays are recorded.

(e) *Lottery Terminal*: A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports, and performing inventory functions.

(f) *Play*: A chance to participate in a particular Fast Play lottery game.

(g) *Play Area*: The area on a ticket, which contains one or more play symbols.

(h) *Play Symbol*: A number, letter, symbol, image or other character found in the play area, which is used to determine whether a player wins a prize.

(i) *Prize*: A non-monetary item, money, or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(j) *PROGRESSIVE TOP PRIZE*: The top prize available for this game that begins with a minimum prize amount that grows at a pre-determined rate every time a ticket is purchased, and then resets to the minimum prize amount whenever a top prize winning ticket is sold.

(k) *WINNING SYMBOLS*: The numbers, letters, symbols or other characters found in the play area that, when matched against the "YOUR SYMBOLS" play symbols, determine whether a player wins a prize.

(l) *Winning ticket*: A game ticket which has been validated and qualifies for a prize.

(m) *WIN S'MORE*: The area on the ticket that contains instructions on how to build a S'more with a Marshmallow (MRSHMLW) symbol, Chocolate (CHOCLTE) symbol and a Graham Cracker (GRAHAM) symbol that, when all three play symbols are found in the "YOUR SYMBOLS" area, determine whether the player wins a prize of \$30.

(n) *YOUR SYMBOLS*: The numbers, letters, symbols or other characters found in the play area that, when matched against the "WINNING SYMBOLS" play symbols, determine whether a player wins a prize.

3. *Price*: The price of a Campground Cash ticket is \$10.

4. *Description of the Campground Cash Fast Play lottery game*:

(a) The Campground Cash lottery game is an instant win game printed from a Lottery Terminal. With the exception of the "PROGRESSIVE TOP PRIZE" amount, all prizes are predetermined, and the player does not have the ability to select their own play symbols. Campground Cash tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Campground Cash has two ways to win a prize. A bet slip is not used to play this game.

(1) *Key Symbol Match*: Campground Cash is played by matching the play symbols located in the "YOUR SYMBOLS" area to the play symbols located in the "WINNING SYMBOLS" area. A player correctly matching a "YOUR SYMBOLS" play symbol to a "WINNING SYMBOLS" play symbol wins the prize shown under the matching "YOUR SYMBOLS" play symbol.

(2) *WIN S'MORE*: Campground Cash is also played by matching a Marshmallow (MRSHMLW) symbol, Chocolate (CHOCLTE) symbol and a Graham Cracker (GRAHAM) symbol in the "YOUR SYMBOLS" area according to the WIN S'MORE instructions. A player matching the three play symbols in this manner will build a S'more and win a prize of \$30. WIN S'MORE is played separately.

(c) Players can win the prize identified in section 6 (relating to prizes available to be won and determination of prize winners).

(d) A Campground Cash game ticket cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(e) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer and verbally request a Campground Cash game ticket. The

ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(f) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Campground Cash game ticket and select the Campground Cash option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *Campground Cash ticket characteristics*:

(a) A Campground Cash ticket shall contain a play area, the cost of the play, the date of sale, and a bar code.

(b) *Play Symbols*: Each Campground Cash ticket will contain a "WINNING SYMBOLS" area and a "YOUR SYMBOLS" area. The play symbols and their captions, located in the "WINNING SYMBOLS" area and the "YOUR SYMBOLS" area, are: Truck (TRUCK) symbol, Bag (BAG) symbol, Camera (CAMERA) symbol, Clover (CLOVER) symbol, Tent (TENT) symbol, Signs (SIGNS) symbol, Boot (BOOT) symbol, Sun (SUN) symbol, Peaks (PEAKS) symbol, Soup (SOUP) symbol, Shades (SHADES) symbol, Plane (PLANE) symbol, Bicycle (BICYCLE) symbol, Jacket (JACKET) symbol, Rain (RAIN) symbol, Clock (CLOCK) symbol, Compass (COMPSS) symbol, Trees (TREES) symbol, Moon (MOON) symbol, Fire (FIRE) symbol, Axe (AXE) symbol, Squirrel (SQUIRL) symbol, Bear (BEAR) symbol, Deer (DEER) symbol, Chipmunk (CHPMNK) symbol, Raccoon (RACCN) symbol, Marshmallow (MRSHMLW) symbol, Chocolate (CHOCLTE) symbol and a Graham Cracker (GRAHAM) symbol.

(c) *Prize Symbols*: The prize symbols and their captions located in the play area are: \$10 (TEN), \$15 (FIFTEEN), \$20 (TWENTY), \$30 (THIRTY), \$50 (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$5,000 (FIV THO) and PROG (TOP PRIZE).

(d) *Prizes*: The prizes that can be won in this game are: \$10, \$15, \$20, \$30, \$50, \$100, \$500, \$1,000, \$5,000 and the "PROGRESSIVE TOP PRIZE." The "PROGRESSIVE TOP PRIZE" amount starts at \$100,000 and increases by \$1.70 every time a Campground Cash ticket is purchased. When a "PROGRESSIVE TOP PRIZE" winning ticket is sold, the "PROGRESSIVE TOP PRIZE" resets to \$100,000. A player can win up to 13 times on a ticket.

(e) *Approximate number of tickets available for the game*: Approximately 4,800,000 tickets will be available for sale for the Campground Cash lottery game.

6. *Prizes available to be won and determination of prize winners*:

(a) All Campground Cash prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols matches any of the "WINNING SYMBOLS" play symbols and a prize symbol of PROG (TOP PRIZE) appears in the "Prize" area, on a single ticket, shall be entitled to a prize of a "PROGRESSIVE TOP PRIZE." The amount won under this paragraph is the amount of the "PROGRESSIVE TOP PRIZE," determined by the Lottery Central Computer System, as of the time the winning ticket was purchased. The amount won will be a minimum of \$100,000.

(c) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols matches any of the "WINNING

SYMBOLS” play symbols and a prize symbol of \$5,000 (FIV THO) appears in the “Prize” area, on a single ticket, shall be entitled to a prize of \$5,000.

(d) Holders of tickets upon which any one of the “YOUR SYMBOLS” play symbols matches any of the “WINNING SYMBOLS” play symbols and a prize symbol of \$1,000 (ONE THO) appears in the “Prize” area, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which any one of the “YOUR SYMBOLS” play symbols matches any of the “WINNING SYMBOLS” play symbols and a prize symbol of \$500 (FIV HUN) appears in the “Prize” area, on a single ticket, shall be entitled to a prize of \$500.

(f) Holders of tickets upon which any one of the “YOUR SYMBOLS” play symbols matches any of the “WINNING SYMBOLS” play symbols and a prize symbol of \$100 (ONE HUN) appears in the “Prize” area, on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets upon which any one of the “YOUR SYMBOLS” play symbols matches any of the “WINNING SYMBOLS” play symbols and a prize symbol of \$50 (FIFTY) appears in the “Prize” area, on a single ticket, shall be entitled to a prize of \$50.

(h) Holders of tickets upon which any one of the “YOUR SYMBOLS” play symbols matches any of the “WINNING SYMBOLS” play symbols and a prize symbol

of \$30 (THIRTY) appears in the “Prize” area, on a single ticket, shall be entitled to a prize of \$30.

(i) Holders of tickets upon which a Marshmallow (MRSHMLW) symbol, a Chocolate (CHOCLTE) symbol and a Graham Cracker (GRAHAM) symbol appear in the “YOUR SYMBOLS” area, on a single ticket, shall be entitled to a prize of \$30.

(j) Holders of tickets upon which any one of the “YOUR SYMBOLS” play symbols matches any of the “WINNING SYMBOLS” play symbols and a prize symbol of \$20 (TWENTY) appears in the “Prize” area, on a single ticket, shall be entitled to a prize of \$20.

(k) Holders of tickets upon which any one of the “YOUR SYMBOLS” play symbols matches any of the “WINNING SYMBOLS” play symbols and a prize symbol of \$15 (FIFTEEN) appears in the “Prize” area, on a single ticket, shall be entitled to a prize of \$15.

(l) Holders of tickets upon which any one of the “YOUR SYMBOLS” play symbols matches any of the “WINNING SYMBOLS” play symbols and a prize symbol of \$10 (TEN DOL) appears in the “Prize” area, on a single ticket, shall be entitled to a prize of \$10.

7. *Number and description of prizes and approximate chances of winning.* The following table sets forth the approximate number of winners, amounts of prizes, and approximate chances of winning:

<i>When Any Of YOUR SYMBOLS Match Any WINNING SYMBOL, Win Prize Shown Under The Matching Symbol. Win With:</i>	<i>WIN S'MORE With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 4,800,000 Tickets:</i>
\$10		\$10	7.14	672,000
\$15		\$15	11.76	408,000
\$10 × 2		\$20	100	48,000
\$20		\$20	50	96,000
\$10 × 3		\$30	166.67	28,800
\$15 × 2		\$30	166.67	28,800
\$20 + \$10		\$30	166.67	28,800
	\$30 w/ S'MORE	\$30	62.5	76,800
\$30		\$30	166.67	28,800
\$10 × 2	\$30 w/ S'MORE	\$50	333.33	14,400
\$10 × 5		\$50	2,000	2,400
(\$15 × 2) + (\$10 × 2)		\$50	2,000	2,400
(\$10 × 3) + \$20		\$50	2,000	2,400
(\$15 × 2) + \$20		\$50	2,000	2,400
(\$20 × 2) + \$10		\$50	2,000	2,400
\$30 + \$20		\$50	2,000	2,400
\$20	\$30 w/ S'MORE	\$50	250	19,200
\$50		\$50	2,000	2,400
\$10 × 7	\$30 w/ S'MORE	\$100	12,000	400
(\$20 × 2) + (\$10 × 3)	\$30 w/ S'MORE	\$100	12,000	400
(\$20 × 2) + (\$15 × 2)	\$30 w/ S'MORE	\$100	12,000	400
(\$15 × 2) + (\$10 × 2) + \$20	\$30 w/ S'MORE	\$100	12,000	400
(\$10 × 2) + \$50	\$30 w/ S'MORE	\$100	12,000	400
(\$20 × 2) + \$30	\$30 w/ S'MORE	\$100	12,000	400

<i>When Any Of YOUR SYMBOLS Match Any WINNING SYMBOL, Win Prize Shown Under The Matching Symbol. Win With:</i>	<i>WIN S'MORE With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 4,800,000 Tickets:</i>
(\$30 × 2) + \$10	\$30 w/ S'MORE	\$100	12,000	400
\$50 + \$30 + \$20		\$100	24,000	200
\$50 + \$20	\$30 w/ S'MORE	\$100	12,000	400
\$100		\$100	24,000	200
\$100 × 5		\$500	120,000	40
(\$100 × 2) + (\$50 × 4) + (\$15 × 2) + (\$10 × 4)	\$30 w/ S'MORE	\$500	10,909	440
(\$100 × 3) + (\$30 × 2) + (\$20 × 3) + (\$15 × 2) + (\$10 × 2)	\$30 w/ S'MORE	\$500	120,000	40
(\$100 × 3) + (\$50 × 2) + (\$20 × 2) + (\$15 × 2)	\$30 w/ S'MORE	\$500	120,000	40
(\$100 × 4) + (\$30 × 2) + \$10	\$30 w/ S'MORE	\$500	120,000	40
\$500		\$500	120,000	40
\$500 × 2		\$1,000	480,000	10
(\$100 × 2) + (\$50 × 4) + (\$15 × 4) + \$500 + \$10	\$30 w/ S'MORE	\$1,000	240,000	20
(\$100 × 3) + (\$50 × 2) + (\$20 × 3) + \$500 + \$10	\$30 w/ S'MORE	\$1,000	240,000	20
(\$100 × 4) + \$500 + \$50 + \$20	\$30 w/ S'MORE	\$1,000	240,000	20
(\$100 × 5) + \$500		\$1,000	480,000	10
\$1,000		\$1,000	480,000	10
\$1,000 × 5		\$5,000	480,000	10
\$5,000		\$5,000	480,000	10
PROGRESSIVE TOP PRIZE		\$100,000*	240,000	20

WIN S'MORE: When each of the three symbols below appear in the YOUR SYMBOLS area above to build a S'MORE, win \$30 instantly! WIN S'MORE played separately.

*PROGRESSIVE TOP PRIZE: The minimum value of the PROGRESSIVE TOP PRIZE is \$100,000. The PROGRESSIVE TOP PRIZE increases by \$1.70 every time a ticket is purchased, and resets to \$100,000 whenever a top prize winning ticket is sold.

Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Ticket responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

9. *Ticket validation and requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets:* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *"PROGRESSIVE TOP PRIZE" restrictions:*

(a) An amount of \$1.70 from the sale of each Campground Cash ticket will be accumulated in the "PROGRESSIVE TOP PRIZE" pool.

(b) *Prize Amount:* The amount of the "PROGRESSIVE TOP PRIZE" at the time a ticket is purchased can only be verified through the Lottery's Central Computer System. Any advertisement or any materials describing the amount of the "PROGRESSIVE TOP PRIZE" are only valid as of the time they are posted. If any discrepancy exists between this notice and any material describing or advertising the Campground Cash game, this notice and the data contained in the Lottery's Central Computer System shall govern.

(c) The "PROGRESSIVE TOP PRIZE" and all other prizes are subject to availability at the time of purchase. The Lottery is not responsible for prizes that are not awarded due to technical issues. In the event of a "PROGRESSIVE TOP PRIZE" being reset without the actual sale of a "PROGRESSIVE TOP PRIZE" winning ticket, all prize money that had accumulated into the "PROGRESSIVE TOP PRIZE" pool (i.e. \$1.70 from the sale of each ticket) shall be awarded as part of the next "PROGRESSIVE TOP PRIZE" won.

(d) Prizes payable to "PROGRESSIVE TOP PRIZE" winners will be paid as a one-time cash payment. For the purposes of calculation of the prize to be paid to "PROGRESSIVE TOP PRIZE" winners, the "PROGRESSIVE TOP PRIZE" amount will be rounded up to the nearest \$0.50.

15. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures established by the Secretary for the conduct of the Fast Play Campground Cash lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

16. *Retailer compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

17. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Campground Cash lottery game tickets.

18. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single

installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

19. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Campground Cash or through normal communications methods.

20. *Applicability:* This notice applies only to the Campground Cash lottery game announced in this notice.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 20-858. Filed for public inspection July 2, 2020, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Double Dip Fast Play Game 5090

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name:* The name of the lottery game is Pennsylvania Double Dip (hereinafter “Double Dip”). The game number is PA-5090.

2. *Definitions:*

(a) *Authorized retailer or retailer:* A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar code:* The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *CONE:* A specific, pre-defined portion of the play area, which contains two play symbols and a prize symbol that, when played according to the instructions, determine whether a player wins a prize. Each CONE is played separately.

(d) *Game Ticket:* A bearer instrument produced through a Lottery Terminal that is the player’s record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(e) *Lottery Central Computer System:* The computer gaming system on which all Fast Play plays are recorded.

(f) *Lottery Terminal:* A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports, and performing inventory functions.

(g) *Play:* A chance to participate in a particular Fast Play lottery game.

(h) *Play Area:* The area on a ticket which contains one or more play symbols.

(i) *Play Symbol:* A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(j) *Prize:* A non-monetary item, money, or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(k) *WINNING NUMBERS:* The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in any “CONE,” determine whether a player wins a prize.

(l) *Winning ticket:* A game ticket which has been validated and qualifies for a prize.

(m) *YOUR NUMBERS:* The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the “WINNING NUMBERS” area, determine whether a player wins a prize.

3. *Price:* The price of a Double Dip ticket is \$2.

4. *Description of the Double Dip Fast Play lottery game:*

(a) The Double Dip lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select their own play symbols. Double Dip tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Double Dip is played by matching any of the play symbols in the “WINNING NUMBERS” area to the “YOUR NUMBERS” play symbols located in any “CONE.” A player matching either play symbol in this manner will win the prize shown under that “CONE.” A player matching both “YOUR NUMBERS” play symbols in this manner will double the prize shown for that “CONE.” A bet slip is not used to play this game.

(c) Players can win the prize identified in section 6 (relating to prizes available to be won and determination of prize winners).

(d) A Double Dip game ticket cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(e) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer and verbally request a Double Dip game ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(f) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Double Dip game ticket and select the Double Dip option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *Double Dip ticket characteristics:*

(a) A Double Dip ticket shall contain a play area, the cost of the play, the date of sale, and a bar code. Each

ticket consists of nine "CONE" areas designated as "CONE 1," "CONE 2," "CONE 3," "CONE 4," "CONE 5," "CONE 6," "CONE 7," "CONE 8," and "CONE 9." Each "CONE" is played separately.

(b) *Play Symbols:* Each Double Dip ticket will contain a "WINNING NUMBERS" area and a "YOUR NUMBERS" area consisting of nine "CONE" areas. The play symbols and their captions, located in the "WINNING NUMBERS" area and the nine "CONE" areas, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRT).

(c) *Prize Symbols:* The prize symbols and their captions located in the play area are: \$2⁰⁰ (TWO DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$30⁰⁰ (THIRTY), \$40⁰⁰ (FORTY), \$100 (ONE HUN), \$200 (TWO HUN), \$400 (FOR HUN) and \$10,000 (TEN THO).

(d) *Prizes:* The prizes that can be won in this game are: \$2, \$4, \$5, \$10, \$20, \$30, \$40, \$100, \$200, \$400 and \$10,000. Double Dip contains a feature that can double the prize in any "CONE" as detailed in section 4 (relating to description of the Double Dip Fast Play lottery game). For a complete list of prizes that can be won in this game, including multiplied prizes, see section 7 (relating to number and description of prizes and approximate chances of winning). A player can win up to seven times on a ticket.

(e) *Approximate number of tickets available for the game:* Approximately 1,200,000 tickets will be available for sale for the Double Dip lottery game.

6. Prizes available to be won and determination of prize winners:

(a) All Double Dip prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols matches one of the "YOUR NUMBERS" play symbols in any "CONE," and a prize symbol of \$10,000 (TEN THO) appears in the "Prize" area under that "CONE," on a single ticket, shall be entitled to a prize of \$10,000.

(c) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols matches one of the "YOUR NUMBERS" play symbols in any "CONE," and a prize symbol of \$400 (FOR HUN) appears in the "Prize" area under that "CONE," on a single ticket, shall be entitled to a prize of \$400.

(d) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match both of the "YOUR NUMBERS" play symbols in the same "CONE," and a prize symbol of \$200 (TWO HUN) appears in the "Prize" area under that "CONE," on a single ticket, shall be entitled to a prize of \$400.

(e) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols matches one of the "YOUR NUMBERS" play symbols in any "CONE," and a prize symbol of \$200 (TWO HUN) appears in the "Prize" area under that "CONE," on a single ticket, shall be entitled to a prize of \$200.

(f) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match both of the "YOUR NUMBERS" play symbols in the same "CONE," and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under that "CONE," on a single ticket, shall be entitled to a prize of \$200.

(g) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols matches one of the "YOUR NUMBERS" play symbols in any "CONE," and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under that "CONE," on a single ticket, shall be entitled to a prize of \$100.

(h) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match both of the "YOUR NUMBERS" play symbols in the same "CONE," and a prize symbol of \$40⁰⁰ (FORTY) appears in the "Prize" area under that "CONE," on a single ticket, shall be entitled to a prize of \$80.

(i) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match both of the "YOUR NUMBERS" play symbols in the same "CONE," and a prize symbol of \$30⁰⁰ (THIRTY) appears in the "Prize" area under that "CONE," on a single ticket, shall be entitled to a prize of \$60.

(j) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols matches one of the "YOUR NUMBERS" play symbols in any "CONE," and a prize symbol of \$40⁰⁰ (FORTY) appears in the "Prize" area under that "CONE," on a single ticket, shall be entitled to a prize of \$40.

(k) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match both of the "YOUR NUMBERS" play symbols in the same "CONE," and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "Prize" area under that "CONE," on a single ticket, shall be entitled to a prize of \$40.

(l) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols matches one of the "YOUR NUMBERS" play symbols in any "CONE," and a prize symbol of \$30⁰⁰ (THIRTY) appears in the "Prize" area under that "CONE," on a single ticket, shall be entitled to a prize of \$30.

(m) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols matches one of the "YOUR NUMBERS" play symbols in any "CONE," and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "Prize" area under that "CONE," on a single ticket, shall be entitled to a prize of \$20.

(n) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match both of the "YOUR NUMBERS" play symbols in the same "CONE," and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "Prize" area under that "CONE," on a single ticket, shall be entitled to a prize of \$20.

(o) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols matches one of the "YOUR NUMBERS" play symbols in any "CONE," and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "Prize" area under that "CONE," on a single ticket, shall be entitled to a prize of \$10.

(p) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match both of the "YOUR NUMBERS" play symbols in the same "CONE," and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the "Prize" area under that "CONE," on a single ticket, shall be entitled to a prize of \$10.

(q) Holders of tickets upon which any of the “WINNING NUMBERS” play symbols match both of the “YOUR NUMBERS” play symbols in the same “CONE,” and a prize symbol of \$4^{.00} (FOR DOL) appears in the “Prize” area under that “CONE,” on a single ticket, shall be entitled to a prize of \$8.

(r) Holders of tickets upon which any of the “WINNING NUMBERS” play symbols matches one of the “YOUR NUMBERS” play symbols in any “CONE,” and a prize symbol of \$5^{.00} (FIV DOL) appears in the “Prize” area under that “CONE,” on a single ticket, shall be entitled to a prize of \$5.

(s) Holders of tickets upon which any of the “WINNING NUMBERS” play symbols matches one of the “YOUR NUMBERS” play symbols in any “CONE,” and a prize symbol of \$4^{.00} (FOR DOL) appears in the “Prize” area under that “CONE,” on a single ticket, shall be entitled to a prize of \$4.

(t) Holders of tickets upon which any of the “WINNING NUMBERS” play symbols match both of the “YOUR NUMBERS” play symbols in the same “CONE,” and a prize symbol of \$2^{.00} (TWO DOL) appears in the “Prize” area under that “CONE,” on a single ticket, shall be entitled to a prize of \$4.

(u) Holders of tickets upon which any of the “WINNING NUMBERS” play symbols matches one of the “YOUR NUMBERS” play symbols in any “CONE,” and a prize symbol of \$2^{.00} (TWO DOL) appears in the “Prize” area under that “CONE,” on a single ticket, shall be entitled to a prize of \$2.

7. *Number and description of prizes and approximate chances of winning.* The following table sets forth the approximate number of winners, amounts of prizes, and approximate chances of winning:

<i>When You Match Any WINNING NUMBER To One YOUR NUMBER In Any CONE, Win Prize Shown Under That CONE. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 1,200,000 Tickets:</i>
\$2	\$2	9.52	126,000
\$2 × 2	\$4	50	24,000
\$2 w/ DOUBLE	\$4	20	60,000
\$4	\$4	50	24,000
\$5	\$5	66.67	18,000
\$5 × 2	\$10	1,000	1,200
(\$2 w/ DOUBLE) + (\$2 × 3)	\$10	111.11	10,800
(\$4 w/ DOUBLE) + \$2	\$10	125	9,600
\$5 w/ DOUBLE	\$10	125	9,600
\$10	\$10	1,000	1,200
\$10 × 2	\$20	1,000	1,200
(\$5 × 2) + \$10	\$20	1,000	1,200
(((\$4 w/ DOUBLE) × 2) + (\$2 w/ DOUBLE))	\$20	1,000	1,200
(\$5 w/ DOUBLE) × 2	\$20	500	2,400
\$10 w/ DOUBLE	\$20	1,000	1,200
\$20	\$20	1,000	1,200
\$10 × 3	\$30	10,000	120
(\$5 × 2) + \$20	\$30	10,000	120
\$20 + \$10	\$30	5,000	240
(((\$5 w/ DOUBLE) × 2) + \$10)	\$30	5,000	240
(\$5 w/ DOUBLE) × 3	\$30	2,500	480
(\$10 w/ DOUBLE) + (\$5 w/ DOUBLE)	\$30	10,000	120
\$30	\$30	5,000	240
\$10 × 4	\$40	12,000	100
(\$10 w/ DOUBLE) + (((\$5 w/ DOUBLE) × 2))	\$40	1,500	800
(\$10 w/ DOUBLE) × 2	\$40	1,500	800
\$20 w/ DOUBLE	\$40	1,714	700
\$40	\$40	12,000	100
(\$40 × 2) + \$20	\$100	24,000	50
\$40 + \$30 + \$20 + \$10	\$100	24,000	50

<i>When You Match Any WINNING NUMBER To One YOUR NUMBER In Any CONE, Win Prize Shown Under That CONE. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 1,200,000 Tickets:</i>
$(\$20 \text{ w/ DOUBLE}) + ((\$10 \text{ w/ DOUBLE}) \times 2) + ((\$5 \text{ w/ DOUBLE}) \times 2)$	\$100	12,000	100
$(\$30 \text{ w/ DOUBLE}) + (\$20 \text{ w/ DOUBLE})$	\$100	12,000	100
$(\$40 \text{ w/ DOUBLE}) + (\$10 \text{ w/ DOUBLE})$	\$100	24,000	50
\$100	\$100	24,000	50
$\$100 \times 2$	\$200	60,000	20
$(\$30 \text{ w/ DOUBLE}) + ((\$20 \text{ w/ DOUBLE}) \times 2) + ((\$10 \text{ w/ DOUBLE}) \times 2) + ((\$5 \text{ w/ DOUBLE}) \times 2)$	\$200	60,000	20
$((\$40 \text{ w/ DOUBLE}) \times 2) + (\$20 \times 2)$	\$200	60,000	20
\$100 w/ DOUBLE	\$200	60,000	20
\$200	\$200	60,000	20
$\$100 \times 4$	\$400	120,000	10
\$200 w/ DOUBLE	\$400	120,000	10
\$400	\$400	120,000	10
\$10,000	\$10,000	120,000	10

When you match any WINNING NUMBERS to both YOUR NUMBERS in the same CONE, DOUBLE the prize shown under that CONE. Each CONE is played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Ticket responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

9. *Ticket validation and requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets:* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures established by the Secretary for the conduct of the Fast Play Double Dip lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

15. *Retailer compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

16. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Double Dip lottery game tickets.

17. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaran-

teed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

18. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Double Dip or through normal communications methods.

19. *Applicability:* This notice applies only to the Double Dip lottery game announced in this notice.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 20-859. Filed for public inspection July 2, 2020, 9:00 a.m.]

DEPARTMENT OF REVEUNE

Realty Transfer Tax; 2019 Common Level Ratio; Real Estate Valuation Factors

The following real estate valuation factors are based on sales data compiled by the State Tax Equalization Board in 2019. These factors are the mathematical reciprocals of the actual common level ratio (CLR). For Pennsylvania Realty Transfer Tax purposes, these factors are applicable for documents accepted from July 1, 2020, to June 30, 2021. The date of acceptance of a document is rebuttably presumed to be its date of execution, that is, the date specified in the body of the document as the date of the instrument (61 Pa. Code § 91.102 (relating to acceptance of documents)).

County	CLR Factor
Adams	.96
Allegheny	1.14
Armstrong	3.62
Beaver	5.52
Bedford	1.22
Berks	1.78
Blair	1.04
Bradford	3.86
Bucks	11.24
Butler	11.63
Cambria	5.32
Cameron	3.52
Carbon	2.96
Centre	4.13

<i>County</i>	<i>CLR Factor</i>
Chester	2.13
Clarion	2.92
Clearfield	8.20
Clinton	1.28
Columbia	4.76
Crawford	3.85
Cumberland	1.08
Dauphin	1.57
Delaware	2.00
Elk	3.70
Erie	1.16
Fayette	1.70
Forest	5.56
Franklin	9.09
Fulton	3.08
Greene	1.91
Huntingdon	5.56
Indiana	1.01
Jefferson	3.12
Juniata	8.00
Lackawanna	10.75
Lancaster	1.20
Lawrence	1.36
Lebanon	1.14
Lehigh	1.28
Luzerne	1.05
Lycoming	1.54
McKean	1.18
Mercer	6.10
Mifflin	2.86
Monroe	1.00
Montgomery	2.13
Montour	1.58
Northampton	3.68
Northumberland	6.94
Perry	1.14
Philadelphia	1.06
Pike	5.95
Potter	3.95
Schuylkill	3.06
Snyder	7.09
Somerset	3.45
Sullivan	1.68
Susquehanna	3.89
Tioga	1.66
Union	1.52
Venango	1.32

<i>County</i>	<i>CLR Factor</i>
Warren	4.41
Washington	1.17
Wayne	1.23
Westmoreland	7.63
Wyoming	6.10
York	1.24

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 20-860. Filed for public inspection July 2, 2020, 9:00 a.m.]

ENVIRONMENTAL QUALITY BOARD

Virtual Meeting

In accordance with Governor Tom Wolf's emergency disaster declaration and based on advice from the Department of Health regarding the mitigation of the spread of the novel coronavirus (COVID-19), the Environmental Quality Board (Board) meeting scheduled for Tuesday, July 21, 2020, will be held as a virtual meeting and will begin at 9 a.m. Individuals who wish to join the meeting may do so remotely.

Information on how to join the meeting, as well as agenda and meeting materials, will be available on the Board's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Environmental Quality Board," then "2020 Meetings").

Individuals are encouraged to visit the Board's webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the July 21, 2020, meeting can be directed to Laura Edinger at ledinger@pa.gov or (717) 783-8727.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Laura Edinger at (717) 783-8727 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,
Chairperson

[Pa.B. Doc. No. 20-861. Filed for public inspection July 2, 2020, 9:00 a.m.]

HEALTH CARE COST CONTAINMENT COUNCIL

Teleconference Meeting Scheduled

The Health Care Cost Containment Council (Council) has scheduled the following meeting by teleconference: Thursday, July 9, 2020—Council meeting at 10 a.m.

The public is invited to participate. To do so contact Renee Greenawalt, rgreenawalt@phc4.org at least 24 hours in advance so that arrangements can be made.

JOE MARTIN,
Executive Director

[Pa.B. Doc. No. 20-862. Filed for public inspection July 2, 2020, 9:00 a.m.]

HOUSING FINANCE AGENCY

CARES Rent Relief Program Guidelines

The Housing Finance Agency (Agency) hereby provides notice of the CARES Rent Relief Program (CARES RRP). CARES RRP was established under the Federal Coronavirus Aid, Relief, and Economic Security Act (Pub.L. No. 116-136) (act). The act established CARES RRP as an emergency response to the novel coronavirus (COVID-19) pandemic to disburse funds to counties throughout this Commonwealth to provide financial assistance on behalf of low to moderate income renters experiencing difficulty making rent payments as a result of the COVID-19 pandemic. Assistance shall be made available in the form of a grant and funds will be paid directly to landlords or property owners.

This notice describes the eligibility criteria, as well as the application submission and evaluation process. In addition, this notice identifies the timelines applicable to application submission and funding disbursement. Applications will be available on the Agency's CARES web site at <https://www.phfa.org/pacares/>. Participating organizations will accept CARES RRP applications beginning July 6, 2020, until September 30, 2020.

1. Eligibility Guidelines.

When calculating eligible assistance or household income, married lessees will be viewed under the CARES RRP program as one lessee. This means that a married couple's combined income shall be used when determining income eligibility and the couple may only receive assistance as one lessee. The individual incomes of unmarried lessees who reside in the same housing unit shall be used to determine eligibility and each may individually be eligible for the maximum amount of monthly assistance, not to exceed their monthly rent amount.

CARES RRP funds that will be disbursed to participating counties may be used to assist lessees that became unemployed after March 1, 2020, due to the COVID-19 pandemic, or lessees that are experiencing at least a 30% reduction in annual income related to COVID-19. The term "Unemployed" shall have the meaning as set forth in the act of December 5, 1936 (P.L. 2897, No. 1), known as the Unemployment Compensation Law.

Assistance may be provided to support lessees who are at least 30 days past due on their monthly rent payments and can verify job loss or loss of income related to COVID-19 rendering the lessee unable to pay rent. All CARES RRP assistance is subject to the availability of funding.

CARES RRP funds may only be used to cover rent incurred between March 1, 2020, and December 30, 2020. Property owners are eligible to apply on behalf of lessees. The maximum amount of monthly assistance is \$750.

The maximum CARES RRP funding available is \$4,500 throughout a period of 6 months.

For eligible lessees with current income of less than the pre-pandemic level, continuing assistance may be provided for a total of 6 months or until such time as the household income increases to the pre-pandemic level or to an amount which is no longer a 30% reduction, whichever comes first.

Eligible lessees must have an annualized current income of no more than the upper limit of "median income" as defined in guidelines published annually by the United States Department of Housing and Urban Development. To find the median income for a specific county, visit <https://www.huduser.gov/portal/datasets/il.html>. Select 2020 as the year and choose the "Click Here for FY 20 IL Documentation" link to view the income limit per household size.

The CARES RRP income limit can be calculated by doubling the 50% limit (adjusted by household size), compared with the annualized current income amount. Applicant will not be eligible if the annualized current income exceeds that 100% median income amount.

Lessees will be required to submit verification of income from January 2020 to the date of application in order for the Agency to determine the pre-circumstance level and post-circumstance level so that a determination can be made as to whether there was a 30% reduction in income. Income limits per household size may also be found on the CARES RRP section of Agency's web site.

Lessees who became unemployed after March 1, 2020, must be verified with the Department of Labor and Industry's Bureau of Unemployment Compensation. Lessees seeking CARES RRP assistance must be able to provide the following information to demonstrate CARES RRP eligibility, including but not limited to:

- (a) Tenant pay stubs or income statements for the period beginning January 2020 until the date of application.
- (b) A copy of the lease to verify rent.
- (c) Documentation to verify unemployment with the Department of Labor and Industry's Bureau of Unemployment Compensation.
- (d) Required CARES RRP executed documents.
 - (i) Landlord Application.
 - (ii) Landlord/Property Certification Form.
 - (iii) Lessee Household Certification.

2. CARES RRP Timeline.

Program begins taking applications from Landlords/Renters	July 6, 2020
Application Deadline for Landlords/Renters	September 30, 2020
End of CARES Rent Relief Funding	November 30, 2020
CARES Report Due to Legislature	December 31, 2020

3. CARES RRP Compliance.

(a) *County Requirements.* Counties are required to track and monitor landlords and lessees benefiting from the use of CARES RRP funds, including, but not limited to, all of the following information for each lessee:

- (i) Lessee's name.
- (ii) Lessee's address.

- (iii) City, state and zip code.
- (iv) County.
- (v) Lease effective dates.
- (vi) Phone number.
- (vii) E-mail (if available).
- (viii) Landlord names.
- (ix) Monthly rent amount.
- (x) Dates of delinquent rent (rent due before March 1, 2020, is not eligible).
- (xi) List months with late/missed rent payments.
- (xii) Documents required by the Department of Labor and Industry to verify unemployment.

Counties must verify the eligibility of all CARES RRP award recipients as outlined by the CARES RRP checklist. A copy of the completed checklist must be saved until December 31, 2023. All lessees benefiting from CARES RRP funding must be notified of the amount of assistance payments made to the landlord on their behalf in a manner similar to the CARES RRP Lessee Award Notification document.

Monthly reports by the county/county designee will be required in a form and timeframe sufficient to allow the Agency to comply with the provisions of the act and the Fiscal Code, as amended by Act 24 of 2020. Awardees are also required to submit a final report to the Agency by December 8, 2020, which shall include the final, cumulative expenditure of awarded CARES RRP funds. In addition to the following identified requirements, any additional reporting requirements will be included in the contract documents.

(b) *Property Owner Requirements.* Property owners seeking CARES RRP assistance on behalf of tenant households and lessees applying for CARES RRP funding must complete and submit the necessary documents, described as follows, directly to the office/agency designated by the county:

- (i) Landlord Application.
- (ii) Landlord/Property Certification Form.
- (iii) Lessee Household Certification.

Copies of the all executed, included but not limited to all CARES RRP Landlord Application, Landlord/Property Certification Forms, Lessee Household Certifications and any other documents required by the Agency must be saved until December 31, 2023.

Property owners receiving CARES RRP funds must attest that they will not hold the lessee responsible for any remaining obligation for any past due or future rent for which CARES RRP assistance is provided.

4. CARES RRP Reporting Requirements.

Each participating county's designated organization must submit monthly CARES RRP reports to the Agency by using the CARES RRP web site at <https://caresrrp.phfa.org>. CARES RRP funds will be provided to counties monthly based on the monthly reporting data and the availability of funds until November 30, 2020. No more than 5% of the funds disbursed may be used for expenses related to the administration of CARES RRP. All other funds must be used to provide direct rent assistance.

Counties must submit monthly reports including data from the most recent month of program implementation only. (For example: The July report (due July 31, 2020)

should only include data occurring between July 6, 2020, and July 31, 2020.) Reports will be due to the Agency at 5 p.m. in accordance with the following schedule deadlines:

1st Program Reporting Deadline	July 31, 2020
2nd Program Reporting Deadline	August 28, 2020
3rd Program Reporting Deadline	September 25, 2020
4th Program Reporting Deadline	October 30, 2020
Final Program Reporting Deadline	December 8, 2020

Monthly CARES RRP reports must include all of the following information:

- (a) Total number of landlords who applied for assistance.
- (b) Total number of lessees who applied for assistance.
- (c) Total amount of CARES funds expended.
- (d) Total amount of CARES funding sought.
- (e) Total amount of CARES RRP funds provided per lessee.
- (f) Number of households served/impacted.
- (g) Total number of landlords who received CARES RRP assistance.
- (h) Household size (tracked for each individual household assisted).
- (i) Household income (tracked for each individual household assisted).
- (j) Use of administrative funds (capped at 5%).

The final report to the Agency (due December 8, 2020) should include cumulative CARES RRP data from July 6, 2020, through November 30, 2020.

CARES reporting must be submitted to the Agency electronically by means of the CARES RRP web site.

ROBIN L. WIESSMANN,
Executive Director

[Pa.B. Doc. No. 20-863. Filed for public inspection July 2, 2020, 9:00 a.m.]

HOUSING FINANCE AGENCY

Pandemic Mortgage Assistance Program Guidelines

The Housing Finance Agency (Agency) hereby provides notice of the Pandemic Mortgage Assistance Program (Program). The Program was established under the Federal Coronavirus Aid, Relief, and Economic Security Act (Pub.L. No. 116-136) (act). The act establishes the Program to be administered by the Agency for the purpose of providing emergency mortgage assistance on behalf of homeowners who are delinquent in their mortgage payments and who have experienced job loss or reduced income as a result of the novel coronavirus (COVID-19) pandemic. Assistance shall be made available in the form of a grant and funds will be paid directly to lenders. The provision of assistance shall, at all times, remain subject to the availability of funding.

This notice describes the eligibility criteria, as well as the application submission and evaluation process. In addition, this notice identifies the Program timelines applicable to application submission and funding disbursement. Applications are available on the Agency's web site at www.phfa.org. The Agency will accept Program applications beginning July 6, 2020, until September 30, 2020.

1. Program Objective.

The purpose of the Program is to aid in foreclosure prevention by providing emergency assistance in the form of a grant on behalf of homeowners in this Commonwealth who are delinquent in their monthly mortgage payments due to job loss or reduced work hours and wages as a result of the COVID-19 pandemic.

2. Definitions.

The following words and terms shall have the following meanings.

“Applicant.” A homeowner or a lender applying on behalf of a homeowner.

“Homeowner.” The owner-occupant of a dwelling consisting of one or two separate units who became unemployed after March 1, 2020, due to the COVID-19 pandemic, or who is experiencing a 30% or more reduction in annual household income due to reduced work hours or wages as a result of the COVID-19 pandemic. This term is interchangeable with the term “mortgagor.”

“Installment sales contract or agreement.” An agreement or contract under which the seller of residential real property conveys ownership of or an equitable interest in real estate which constitutes the principal residence of the buyer wherein the seller finances the purchase by the buyer through contract, agreement, note or other security interest, if that contract or agreement does not constitute a default under the terms of a pre-existing mortgage between the seller and the seller's mortgagee.

“Lender.” A mortgagee whose debt is secured by a mortgage in first or second lien position on the property of a homeowner. This term is interchangeable with the term “mortgagee.”

“Mortgage.” A lien, other than a judgment, on a fee simple or leasehold interest in real property which constitutes the principal residence of the homeowner, located in this Commonwealth together with credit instruments secured thereby. The term includes an installment sales agreement or installment sales contract. The term also includes an obligation evidenced by a security lien on real property upon which an owner-occupied mobile home is located.

“Mortgagee.” A lender whose debt is secured by a mortgage in first or second lien position on the property of a homeowner. This term is interchangeable with the term “lender.”

“Mortgagor.” The owner-occupant of a dwelling consisting of one or two separate units who became unemployed after March 1, 2020, due to the COVID-19 pandemic, or who is experiencing a 30% or more reduction in annual household income due to reduced work hours or wages as a result of the COVID-19 pandemic. This term is interchangeable with the term “homeowner.”

“Unemployed.” The meaning as set forth in the act of December 5, 1936 (P.L. 2897, No. 1), known as the Unemployment Compensation Law.

3. Limitation on Assistance.

(a) *Total funds available.* A total of \$25 million is available under the Program. The issuance of Program assistance shall at all times be subject to the availability of funding.

(b) *Covered timeframe.* Program assistance may be available to eligible applicants to cover mortgage payments due between March 2020 and December 2020 on homeowners' first and second mortgages. Assistance may be provided on a mortgage in first or second lien position only.

(c) *Types of assistance.* Assistance will be provided in the form of a grant, with no repayment terms and may be approved on either a continuing or noncontinuing basis depending on the homeowner's current employment or income status at the time of application.

(d) *Assistance cap and applicability.*

(1) Assistance is limited to a maximum of \$1,000 per month, per mortgage for up to 6 months of mortgage payments for mortgage payments due the between March 2020 and December 2020. Assistance is available for mortgages secured in either first or second lien position on the property of an eligible homeowner.

(2) Applicants may be eligible for assistance when the monthly mortgage payment exceeds \$1,000; however, the Program may only provide up to the maximum amount of assistance of \$1,000 per month, per mortgage. Lenders accepting the Program on behalf of any homeowner must agree to release the homeowner from any remaining obligation for any past due or future mortgage payment for which the Program assistance is provided.

(3) Program assistance may not be applied to mortgage payments included in an active forbearance.

(4) Assistance will include payment of the monthly amortized mortgage payment only and may not be applied to late charges, legal fees, property inspections, or any other fees owed to the mortgagee before, during or after the covered timeframe.

4. Eligibility for Assistance.

(a) A property must be all of the following:

(1) An owner-occupied dwelling consisting of one or two separate units; and

(2) Secured by a mortgage or other security interest in cases where the property is subject to an installment sales contract or agreement; and

(3) Located in the Commonwealth of Pennsylvania.

(b) Assistance may be provided on behalf of a homeowner or to a lender applying on behalf of a homeowner when the following eligibility criteria have been demonstrated:

(1) The homeowners must have become unemployed after March 1, 2020, or had their annual household income reduced by 30% or more due to reduced work hours and wages as a result of the COVID-19 pandemic. A homeowner who became unemployed after March 1, 2020, must be verified with the Department of Labor and Industry's Bureau of Unemployment Compensation.

(2) The homeowners must have an annualized current income of no more than the upper limit of “median income” as defined in guidelines published annually by the United States Department of Housing and Urban

Development. Applicants may find the Area Median Income for a specific county by visiting <https://www.huduser.gov/portal/datasets/il.html>.

(3) The homeowners must hold legal or equitable title. In an effort to assist families with tangled titles and intergenerational family homes, as well as applicants with an installment sales contract or agreement, equitable owners, who are not the sole record owner or mortgagor, may be eligible.

(4) Mortgage payments for which assistance is requested must be at least 30 days delinquent and due between March 2020 and December 2020.

(5) The mortgages for which assistance is requested must be in first or second lien position on the property.

5. *Application and Review Process.*

(a) *Application process.* Applicants will be able to apply through a web-based application at <https://PMAP.phfa.org> or by mail utilizing a printable application, which is available on the Agency's web site at www.phfa.org. The completed application, with all required supporting documentation may be mailed directly to the Agency. Applicants may submit applications beginning July 6, 2020, until September 30, 2020. All owners of a property for which assistance is sought must complete and execute the application; however, a homeowner may be eligible if a co-owner is absent, unable or unwilling to complete the application. In addition to completing the application, to be eligible for assistance, an applicant must provide all of the requested documentation as applicable. The following must be included with the submitted application.

(1) *Required Documentation.* The required supporting documentation shall consist of the following:

(i) A copy of any Act 6 Notice of Intent to Foreclose or Act 91 Notice if the homeowner has received such documentation. If the Act 6 Notice or Act 91 Notice is outdated, the applicant must provide a current notice that reflects the months and amounts owed on the mortgage for which assistance is sought.

(ii) If the homeowner has not received either an Act 6 Notice of Intent to Foreclose or an Act 91 Notice, the applicant must provide the most recent mortgage statement or a Reinstatement Quote from the lender verifying that the homeowner's monthly mortgage payments are at least 30 days delinquent.

(iii) Verification of homeowner's household income from January 2020 to the date of the application in order for the Agency to assess the pre-pandemic level and post-pandemic level of income so that a determination can be made as to whether there has been a 30% reduction in income.

(2) *Required Attestation and Certification.*

(i) *Homeowner attestation and certification.* In addition to certifying that the information provided on the application is accurate, the homeowner must certify that such homeowner, if approved for Program assistance, will not accept additional mortgage assistance for any mortgage payment amounts for which the Program assistance has been provided.

(ii) *Lender attestation and certification.* In addition to certifying that the information provided in the application is accurate, any lender that applies for or receives the Program on behalf of any homeowner must agree to apply the the Program funds to mortgage payments only and for the designated period, as approved by the Agency. The lender must also attest that the lender releases the homeowner of any remaining obligation for any past due or future mortgage payment for which the Agency pays the lender.

(b) *Application Review.* The Agency will review complete applications to determine fulfillment of the eligibility criteria. As part of the application review, for homeowners who were unemployed, the Agency shall verify homeowners' names with the Department of Labor and Industry's Bureau of Unemployment Compensation to ensure the homeowner became unemployed after March 1, 2020.

(c) *Disbursement timeframe.* All approved Program assistance, subject to the availability of funding, will be disbursed no later than November 30, 2020.

6. *Notice of Determination.*

(a) Within 60 days of receipt of a completed application, the Agency will provide written notice of its determination regarding eligibility.

(1) If the application for assistance is approved, an approval letter will be issued to the homeowner and each lender to which assistance funds will be provided.

(i) Applicants will be notified of the amount of assistance to be disbursed on the homeowner's behalf.

(ii) A Program Verification Form will be sent with the lender copy of the approval letter, which will request an updated verification of the months and amounts due on the mortgage. The Program Verification Form must be completed by the lender and returned to the Agency.

(2) If the application for assistance is denied, a denial letter will be issued to the homeowner. The denial letter will provide the reason for the denial and advise that it is a final Agency decision.

(b) There will be no appeal process for applicants that are denied.

7. *Acknowledgement.*

(a) *Homeowner acknowledgement.* If approved, all homeowners will be required to sign an acknowledgement regardless of whether assistance is approved as either continuing or noncontinuing.

(b) *Lender acknowledgement.* Lenders that have agreed to accept Program assistance will receive an acknowledgement with the Program payment indicating that processing of the check indicates the lender's agreement to apply the Program funds to mortgage payments only and for the designated period indicated on the itemization provided with the check and affirming that the lender releases the homeowner for whom assistance was provided of any remaining obligation for the months for which Program assistance was applied.

ROBIN L. WIESSMANN,
Executive Director

[Pa.B. Doc. No. 20-864. Filed for public inspection July 2, 2020, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Actions Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10 a.m., Thursday, June 18, 2020, and announced the following:

Actions Taken—Regulations Approved:

Department of Conservation and Natural Resources # 7B-9: Snowmobile and All-Terrain Vehicle Grants (amends 17 Pa. Code Chapter 53)

State Board of Dentistry # 16A-4626: Child Abuse Reporting Requirements (amends 49 Pa. Code §§ 33.1, 33.250—33.257 and 33.401)

Environmental Quality Board # 7-543: Hazardous Waste Generator Improvements Rule (amends 25 Pa. Code Chapters 261a—265a)

Environmental Quality Board # 7-542: Unconventional Well Permit Application Fee Amendments (amends 25 Pa. Code Chapter 78a)

Environmental Quality Board # 7-546: Revision of the Maximum Allowable Sulfur Content Limit for No. 2 and Light Commercial Fuel Oil (amends 25 Pa. Code Chapter 123)

Pennsylvania Public Utility Commission # 57-319: Electricity Generation Customer Choice (amends 52 Pa. Code Chapter 54)

Action Taken—Regulation Disapproved: Order Not Yet Issued

*Pennsylvania Gaming Control Board # 125-228: General Table Games Provisions; Table Game Equipment; Electronic Table Games; Gaming Related Gaming Service Providers; Table Game Rules of Play

*Will advise when order is issued.

Approval Order

Public Meeting Held
June 18, 2020

Commissioners Voting: George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; John J. Soroko, Esq.; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*Department of Conservation and Natural Resources
Snowmobile and All-Terrain Vehicle Grants
Regulation No. 7B-9 (# 3188)*

On January 9, 2018, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Conservation and Natural Resources (Department). This rulemaking amends 17 Pa. Code Chapter 53. The proposed regulation was published in the January 20, 2018 *Pennsylvania Bulletin* with a public comment period ending on February 20, 2018. The final-form regulation was submitted to the Commission on January 23, 2020.

This regulation adds Chapter 53 to establish the criteria for ATV and snowmobile activities grant applicants to apply and be selected for a grant, as well as to establish the types of applicants and projects eligible for funding.

We have determined this regulation is consistent with the statutory authority of the Department (75 Pa.C.S. § 7706(b.1)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting Held
June 18, 2020

Commissioners Voting: George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; John J. Soroko, Esq.; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*State Board of Dentistry
Child Abuse Reporting Requirements
Regulation No. 16A-4626 (# 3198)*

On February 9, 2018, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Dentistry (Board). This rulemaking amends 49 Pa. Code §§ 33.1, 33.250—33.257 and 33.401. The proposed regulation was published in the February 24, 2018 *Pennsylvania Bulletin* with a public comment period ending on March 26, 2018. The final-form regulation was submitted to the Commission on February 13, 2020.

The regulation implements amendments to the Child Protective Services Law (23 Pa.C.S. §§ 6301—6386), including the requirements imposed by Act 31 of 2014 (P.L. 411, No. 31) on all health-related boards, to require licensees who are considered “mandated reporters” to complete mandatory training in child abuse recognition and reporting.

We have determined this regulation is consistent with the statutory authority of the Board (23 Pa.C.S. § 6383(b)(2)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting Held
June 18, 2020

Commissioners Voting: George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; John J. Soroko, Esq.; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*Environmental Quality Board
Hazardous Waste Generator Improvements Rule
Regulation No. 7-543 (# 3253)*

On February 14, 2020, the Independent Regulatory Review Commission (Commission) received this regulation from the Environmental Quality Board (Board). This rulemaking amends 25 Pa. Code Chapters 261a—265a. Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

This final-omitted regulation contains minor corrections and clarifications to ensure that Commonwealth regula-

tions are consistent with provisions of the Federal Hazardous Waste Generator Improvements Rule regulations already incorporated by reference.

We have determined this regulation is consistent with the statutory authority of the Board (35 P.S. §§ 6018.105 and 6018.402, and 35 P.S. §§ 6020.303 and 6018.305(e)(2)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting Held
June 18, 2020

Commissioners Voting: George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; John J. Soroko, Esq.; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*Environmental Quality Board
Unconventional Well Permit Application Fee Amendments
Regulation No. 7-542 (# 3206)*

On July 2, 2018, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (EQB). This rulemaking amends 25 Pa. Code Chapter 78a. The proposed regulation was published in the July 14, 2018 *Pennsylvania Bulletin* with a public comment period ending on August 13, 2018. The final-form regulation was submitted to the Commission on February 14, 2020.

This final-form rulemaking increases the well permit application fees to \$12,500 for all unconventional well permit applications. It also removes the definitions of “nonvertical unconventional well” and “vertical unconventional well” from EQB’s existing regulations on unconventional wells.

We have determined this regulation is consistent with the statutory authority of EQB (58 Pa.C.S. §§ 3211(d), 3274 and 71 P.S. § 510-20) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting Held
June 18, 2020

Commissioners Voting: George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; John J. Soroko, Esq.; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*Environmental Quality Board
Revision of the Maximum Allowable Sulfur Content Limit
for No. 2 and Lighter Commercial Fuel Oil
Regulation No. 7-546 (# 3238)*

On June 19, 2019, the Independent Regulatory Review Commission (Commission) received this proposed regula-

tion from the Environmental Quality Board (Board). This rulemaking amends 25 Pa. Code Chapter 123. The proposed regulation was published in the July 6, 2019 *Pennsylvania Bulletin* with a public comment period ending on September 9, 2019. The final-form regulation was submitted to the Commission on February 14, 2020.

This final-form regulation lowers the maximum allowable sulfur content limit for No. 2 and lighter commercial fuel oil from 500 parts per million to 15 parts per million.

We have determined this regulation is consistent with the statutory authority of the Board (35 P.S. § 4005(a)(1) and (8)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting Held
June 18, 2020

Commissioners Voting: George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; John J. Soroko, Esq.; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*Pennsylvania Public Utility Commission
Electricity Generation Customer Choice
Regulation No. 57-319 (# 3201)*

On March 13, 2018, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Public Utility Commission (PUC). This rulemaking amends 52 Pa. Code Chapter 54. The proposed regulation was published in the March 24, 2018 *Pennsylvania Bulletin* with a public comment period ending on May 22, 2018. The final-form regulation was submitted to the Commission on April 17, 2020.

This rulemaking amends the PUC’s customer information regulations by requiring Electric Generation Suppliers (EGS) to provide customers with additional information regarding their EGS contracts. It also prohibits the imposition of early termination fees between the date an options notice is issued and the expiration of the contract.

We have determined this regulation is consistent with the statutory authority of the PUC (66 Pa.C.S. §§ 501(b), 2807(d)(2), 2809(b), 2802(9) and 2802(14)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 20-865. Filed for public inspection July 2, 2020, 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.

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
16A-5334	State Board of Osteopathic Medicine Fees	6/15/20	7/16/20

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 20-866. Filed for public inspection July 2, 2020, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Electric Generation Supplier License Cancellations of Companies with an Expired Financial Security, Insufficient Financial Security Amount or Language

Public Meeting held
June 18, 2020

Commissioners Present: Gladys Brown Dutrieuille, Chairperson; David W. Sweet, Vice Chairperson; John F. Coleman, Jr.; Ralph V. Yanora

*Electric Generation Supplier License Cancellations of
Companies with an Expired Financial Security,
Insufficient Financial Security Amount or Language;
M-2020-3015227*

Tentative Order

By the Commission:

The Commission's regulations at 52 Pa. Code § 54.40(a) state that an Electric Generation Supplier (EGS) license will not be issued or remain in force until the licensee furnishes a bond or other security approved by the Commission. In addition, 52 Pa. Code § 54.40(d) states that the maintenance of an EGS license is contingent on the licensee providing proof to the Commission that a bond or other approved security in the amount directed by the Commission has been obtained.

Each EGS must file an original bond, letter of credit, continuation certificate, amendment, or other approved financial instrument with Rosemary Chiavetta, Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120 prior to the EGS's current security expiration date. Each financial instrument must be an original document that displays a "wet" signature or digital signature, preferable in blue ink, and displays a "raised seal" or original notary stamp. The name of the principal on the original financial instrument must match exactly with the name that appears on the EGS's license issued by the Commission.

Failure to file before the financial security's expiration date may cause Commission staff to initiate a formal proceeding that may lead to the following: cancellation of each company's electric supplier license, removal of each

company's information from the Commission's website and notification to all electric distribution companies, in which each company is licensed to do business, of the cancellation of the license.

As of June 9, 2020, each EGS listed in Supplier Tables 1 and 2 has not provided proof to the Commission that it has a bond or other approved security in the amount or language directed by the Commission, to replace a bond which is expired or which is non-compliant with Commission regulations.

While we recognize that the COVID-19 pandemic has provided some challenges related to the continuance of normal business operations, it is imperative that the Commission have an approved financial security in place with each EGS to ensure compliance with 52 Pa. Code § 54.40(d). On March 25, 2020, Commission staff issued an EGS Financial Security Filing Guidance Memo that stated the following:

- Where practical, EGSs should file an original bond, letter of credit, continuation certificate, amendment, or other financial instrument. These original financial instruments should display "wet" signatures or digital signatures, preferably in blue ink, and display a "raised seal" or original notary stamp.
- EGSs should email a copy of the original financial instrument directly to Secretary Chiavetta at rchlavetta@pa.gov. Secretary Chiavetta has waived the restriction on emailed filings that contain confidential and proprietary material. As such, financial security instruments will be permitted to be filed by email for the duration of the Commission's work from home order.
- If an EGS is unable to acquire a "raised seal" or original notary stamp on the financial security during the pendency of the COVID-19 emergency, the Secretary's Bureau will not reject the financial security.
- If an EGS has been granted a reduction in its financial security, and it is time to renew the annual reduction, please file an original annual compliance filing with the Secretary's Bureau and a copy via email at rchlavetta@pa.gov.

Please note that the requirement that EGSs maintain a valid financial security on file with the Commission, remains in effect.

Be advised that emailed financial security instruments—after review and acceptance of the Secretary's

Bureau and the Bureau of Technical Utility Services—will be *provisionally* approved by the Commission until Commission staff resume working in the Keystone Building. EGSs must still mail the original bond with original signatures and notary stamp as per the Commission's normal practice.

Based on the Commission's records, the EGSs listed in Supplier Table 1 have not provided an original approved financial security, nor have they emailed a copy of the original financial instrument to Secretary Chiavetta as directed by the staff memo.

Supplier Table 1—List of Electric Generation Suppliers that failed to email a copy or provide an original financial security document to the Commission.

<i>Docket Number</i>	<i>Company Name</i>	<i>Financial Security Expiration Date</i>	<i>Commission Approved Amount or Language</i>
A-2017-2616814	AEGEAN ENERGY ADVISORS, LLC	5/11/2020	Yes
A-2016-2576290	BENCHMARK SERVICES, INC.	6/8/2020	Yes
A-2012-2306196	CURVIN W. MARTIN	5/1/2020	Yes
A-2012-2338686	DEFINITIVE ENERGY GROUP, INC.	5/9/2020	Yes
A-2012-2305629	EGP ENERGY SOLUTIONS, LLC	5/11/2020	Yes
A-2019-3013327	ELITE ENERGY SOLUTIONS, LLC	5/7/2020	Yes
A-2016-2552191	ENERGY ADVISORY SERVICE, LLC	5/9/2020	Yes
A-2014-2425963	ENERGY CHOICE SOLUTIONS, LLC	3/10/2020	Yes
A-2015-2500373	ENERGY DEALS, LLC	5/1/2020	Yes
A-2013-2360865	FRONT LINE POWER SOLUTIONS, LLC	4/10/2020	Yes
A-2015-2519872	GRID ENERGY, LLC	3/27/2020	Yes
A-2013-2370842	GROUNDSWELL, INC.	5/31/2020	Yes
A-2012-2304910	HP TECHNOLOGIES, INC.	5/3/2020	Yes
A-2010-2175245	INTEGRITY COMMUNICATIONS OF OHIO, LLC	4/1/2020	Yes
A-2019-3009003	JMI CONSULTANTS, LLC	3/30/2020	Yes
A-2018-3006006	JOHN ORR	5/27/2020	Yes
A-2019-3009239	LOUELLA ENTERPRISES, LLC	3/1/2020	Yes
A-2019-3010177	MERETZ ENERGY GROUP, LLC	4/25/2020	Yes
A-2019-3011319*	PURE ENERGY USA PA, LLC	6/3/2020	Yes
A-2011-2272097	SOUTHEAST ENERGY CONSULTANTS, LLC	3/10/2020	Yes
A-2019-3009734	TRUENERGY SERVICES, LLC	4/9/2020	Yes
A-2011-2238331	UNITY ELECTRIC DISCOUNT, LLC	3/10/2020	Yes
A-2019-3012181	US ENERGY SOLUTIONS OF NJ, INC.	5/29/2020	Yes
A-2015-2511999	VOLTARRO	4/9/2020	Yes
A-2016-2554726	WESTERN RESERVE ENERGY SERVICES, LLC	5/31/2020	Yes

*Taking title to electricity

Based on the Commission's records, each EGS listed in Supplier Table 2 emailed a copy of its financial security to Secretary Chiavetta as directed in the staff memo but failed to submit an original financial security to the Commission.

Supplier Table 2—List of Electric Generation Suppliers that emailed a copy of their financial security but failed to submit an original financial security to the Commission.

<i>Docket Number</i>	<i>Company Name</i>	<i>Financial Security Expiration Date</i>	<i>Commission Approved Amount or Language</i>
A-2012-2313100	ENERGY AUCTION EXCHANGE, LLC	5/30/2020	Yes
A-110142*	DUQUESNE LIGHT ENERGY, LLC	5/15/2020	Yes
A-2010-2188300	LIVE ENERGY, INC.	5/27/2020	Yes
A-2015-2496354*	MIDAMERICAN ENERGY SERVICES, LLC	7/1/2020	Yes

<i>Docket Number</i>	<i>Company Name</i>	<i>Financial Security Expiration Date</i>	<i>Commission Approved Amount or Language</i>
A-2014-2437023	NAVIGATE POWER, LLC	5/30/2020	Yes
A-2011-2260255*	NORDIC ENERGY SERVICES, LLC	6/1/2020	Yes
A-2012-2321411	SOUTH SHORE TRADING AND DISTRIBUTORS, INC.	4/8/2020	Yes
A-2017-2618308*	SPRING ENERGY RRH, LLC	5/31/2020	Yes
A-2015-2500554	TITAN ENERGY—NEW ENGLAND, INC.	5/31/2020	Yes

*Taking title to electricity

An EGS listed in either table that believes it has provided its original financial security to the Commission and was listed in error, should contact the Commission's Bureau of Technical Services at pc-puc-tus-energy@pagov.onmicrosoft.com.

As part of its EGS license validation procedures, the Commission's Bureau of Technical Utility Services sent a 90-day Security Renewal Notice Letter to each entity in the Supplier Tables above stating that original documentation of a bond, or other approved security in the amount and language directed by the Commission, must be filed within 30 days prior to each entity's security expiration date. None of the companies listed in the Supplier Tables provided the required documentation.

Based on the above facts, we tentatively conclude that the EGSs listed in Supplier Tables 1 and 2 are not in compliance with 52 Pa. Code § 54.40(a) and (d) and therefore it is appropriate to initiate the cancellation process for the EGS license of each company listed in Supplier Tables 1 and 2, without the necessity of a formal complaint, as being in the public interest; *Therefore,*

It Is Ordered That:

1. Cancellation of the Electric Generation Supplier License of each company listed in Supplier Tables 1 and 2 is hereby tentatively approved as being in the public interest.

2. The Secretary serve a copy of this Tentative Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Bureau of Investigation & Enforcement, all electric distribution companies, all of the Electric Generation Suppliers in Supplier Tables 1 and 2, and publish a copy of this Tentative Order in the *Pennsylvania Bulletin* with a 45-day comment period.

3. The Secretary serve a copy of this Tentative Order upon the Pennsylvania Department of Revenue—Bureau of Compliance, Business License Clearance Division.

4. Absent the filing of adverse public comment or the filing of an approved security within 45 days after publication in the *Pennsylvania Bulletin*, the Bureau of Technical Utility Services shall prepare a Final Order for entry by the Secretary.

5. Upon entry of the Final Order described in Ordering Paragraph No. 4 above, each company listed in Supplier Tables 1 and 2 will be stricken from all active utility lists maintained by the Commission's Bureau of Technical Utility Services and the Assessment Section of the Bureau of Administration, removed from the Commission's website, and notifications be sent to all electric distribution companies in which the Electric Generation Suppliers are licensed to do business.

6. Upon entry of the Final Order described in Ordering Paragraph No. 4, each electric distribution company in which the Electric Generation Suppliers are licensed to do business, shall return the customers of the Electric Generation Suppliers to default service.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 20-867. Filed for public inspection July 2, 2020, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Protests may only be filed if there is evidence that the applicant lacks fitness. Protests based on endangering or impairing operations of an existing carrier will not be honored. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the applicant by July 20, 2020. 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.

Application of the following for approval to *begin operating as common carriers for transportation of persons as described under the application.*

A-2019-3020405. STH Holdings, LLC (478 Westmont Drive, Collingdale, Delaware County, PA 19023) persons, in limousine service, from points in Delaware County, to points in Pennsylvania, and return; excluding service that is under the jurisdiction of the Philadelphia Parking Authority. *Attorney:* Michael Eichert, 7102 Frankford Avenue, Philadelphia, PA 19135.

[Pa.B. Doc. No. 20-868. Filed for public inspection July 2, 2020, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications

A-2020-3020410. Verizon North, LLC and CenturyLink Communications, LLC. Joint petition of Verizon North, LLC and CenturyLink Communications, LLC for approval of an interconnection agreement amendment under section 252(i) of the Telecommunications Act of 1996.

Verizon North, LLC and CenturyLink Communications, LLC, by their counsel, filed on June 15, 2020, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Verizon North, LLC and CenturyLink Communications, LLC joint petition are available for inspection at the Commission's web site at www.puc.pa.gov and at the applicant's business web site.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 20-869. Filed for public inspection July 2, 2020, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications

A-2020-3020412. Verizon North, LLC and Broadview NP Acquisition Corp. Joint petition of Verizon North, LLC and Broadview NP Acquisition Corp. for approval of an amendment to interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon North, LLC and Broadview NP Acquisition Corp., by their counsel, filed on June 15, 2020, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an amendment to 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, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Verizon North, LLC and Broadview NP Acquisition Corp. joint petition are available for inspection at the Commission's web site at www.puc.pa.gov and at the applicant's business web site.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 20-870. Filed for public inspection July 2, 2020, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications

A-2020-3020413. Verizon Pennsylvania, LLC and Broadview Networks, Inc. Joint petition of Verizon Pennsylvania, LLC and Broadview Networks, Inc. for approval of an amendment to interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon Pennsylvania, LLC and Broadview Networks, Inc., by their counsel, filed on June 15, 2020, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an amendment to 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, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Verizon Pennsylvania, LLC and Broadview Networks, Inc. joint petition are available for inspection at the Commission's web site at www.puc.pa.gov and at the applicant's business web site.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 20-871. Filed for public inspection July 2, 2020, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications

A-2020-3020417. Verizon North, LLC and Broadview Networks, Inc. Joint petition of Verizon North, LLC and Broadview Networks, Inc. for approval of an amendment to interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon North, LLC and Broadview Networks, Inc., by their counsel, filed on June 15, 2020, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an amendment to 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, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Verizon North, LLC and Broadview Networks, Inc. joint petition are available for inspection at the Commission's web site at www.puc.pa.gov and at the applicant's business web site.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 20-872. Filed for public inspection July 2, 2020, 9:00 a.m.]

**PENNSYLVANIA PUBLIC
UTILITY COMMISSION**
Telecommunications

A-2020-3020424. Verizon Pennsylvania, LLC and BullsEye Telecom, Inc. Joint petition of Verizon Pennsylvania, LLC and BullsEye Telecom, Inc. for approval of an amendment to interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon Pennsylvania, LLC and BullsEye Telecom, Inc., by their counsel, filed on June 15, 2020, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an amendment to 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, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Verizon Pennsylvania, LLC and BullsEye Telecom, Inc. joint petition are available for inspection at the Commission's web site at www.puc.pa.gov and at the applicant's business web site.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 20-873. Filed for public inspection July 2, 2020, 9:00 a.m.]

**PENNSYLVANIA PUBLIC
UTILITY COMMISSION**
Telecommunications

A-2020-3020430. Verizon Pennsylvania, LLC and CenturyLink Communications, LLC. Joint petition of Verizon Pennsylvania, LLC and CenturyLink Communi-

cations, LLC for approval of an amendment to interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon Pennsylvania, LLC and CenturyLink Communications, LLC, by their counsel, filed on June 15, 2020, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an amendment to 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, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Verizon Pennsylvania, LLC and CenturyLink Communications, LLC joint petition are available for inspection at the Commission's web site at www.puc.pa.gov and at the applicant's business web site.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 20-874. Filed for public inspection July 2, 2020, 9:00 a.m.]

**PENNSYLVANIA PUBLIC
UTILITY COMMISSION**
Telecommunications

A-2020-3020432. Verizon Pennsylvania, LLC and WiTel Communications, LLC. Joint petition of Verizon Pennsylvania, LLC and WiTel Communications, LLC for approval of an amendment to interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon Pennsylvania, LLC and WiTel Communications, LLC, by their counsel, filed on June 18, 2020, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an amendment to 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, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Verizon Pennsylvania, LLC and WiTel Communications, LLC joint petition are available for inspection at the Commission's web site at www.puc.pa.gov and at the applicant's business web site.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 20-875. Filed for public inspection July 2, 2020, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications

A-2020-3020433. Verizon Pennsylvania, LLC and Talk America Services, LLC. Joint petition of Verizon Pennsylvania, LLC and Talk America Services, LLC for approval of an amendment to interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon Pennsylvania, LLC and Talk America Services, LLC, by their counsel, filed on June 18, 2020, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an amendment to 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, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Verizon Pennsylvania, LLC and Talk America Services, LLC joint petition are available for inspection at the Commission's web site at www.puc.pa.gov and at the applicant's business web site.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 20-876. Filed for public inspection July 2, 2020, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications

A-2020-3020435. Verizon Pennsylvania, LLC and Broadview NP Acquisition Corp. Joint petition of Verizon Pennsylvania, LLC and Broadview NP Acquisition Corp. for approval of an amendment to interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon Pennsylvania, LLC and Broadview NP Acquisition Corp., by their counsel, filed on June 15, 2020, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an amendment to 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, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Verizon Pennsylvania, LLC and Broadview NP Acquisition Corp. joint petition are available for inspection at the Commission's web site at www.puc.pa.gov and at the applicant's business web site.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 20-877. Filed for public inspection July 2, 2020, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications

A-2020-3020437. Verizon Pennsylvania, LLC and Global Crossing Local Services, Inc. Joint petition of Verizon Pennsylvania, LLC and Global Crossing Local Services, Inc. for approval of an amendment to interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon Pennsylvania, LLC and Global Crossing Local Services, Inc., by their counsel, filed on June 18, 2020, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an amendment to 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, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Verizon Pennsylvania, LLC and Global Crossing Local Services, Inc. joint petition are available for inspection at the Commission's web site at www.puc.pa.gov and at the applicant's business web site.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 20-878. Filed for public inspection July 2, 2020, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications

A-2020-3020439. Verizon North, LLC and Level 3 Communications, Inc. Joint petition of Verizon North, LLC and Level 3 Communications, Inc. for approval of an amendment to interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon North, LLC and Level 3 Communications, Inc., by their counsel, filed on June 18, 2020, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an amendment to 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, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after

the date of publication of this notice. The documents filed in support of Verizon North, LLC and Level 3 Communications, Inc. joint petition are available for inspection at the Commission's web site at www.puc.pa.gov and at the applicant's business web site.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 20-879. Filed for public inspection July 2, 2020, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications

A-2020-3020448. Verizon North, LLC and Broadwing Communications, LLC. Joint petition of Verizon North, LLC and Broadwing Communications, LLC for approval of an interconnection agreement amendment under section 252(i) of the Telecommunications Act of 1996.

Verizon North, LLC and Broadwing Communications, LLC, by their counsel, filed on June 15, 2020, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Verizon North, LLC and Broadwing Communications, LLC joint petition are available for inspection at the Commission's web site at www.puc.pa.gov and at the applicant's business web site.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 20-880. Filed for public inspection July 2, 2020, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications

A-2020-3020450. Verizon Pennsylvania, LLC and Choice One Communications of Pennsylvania, Inc. Joint petition of Verizon Pennsylvania, LLC and Choice One Communications of Pennsylvania, Inc. for approval of

an amendment to interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon Pennsylvania, LLC and Choice One Communications of Pennsylvania, Inc., by their counsel, filed on June 22, 2020, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an amendment to 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, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Verizon Pennsylvania, LLC and Choice One Communications of Pennsylvania, Inc. joint petition are available for inspection at the Commission's web site at www.puc.pa.gov and at the applicant's business web site.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 20-881. Filed for public inspection July 2, 2020, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications

A-2020-3020451. Verizon Pennsylvania, LLC and Cavalier Telephone Mid-Atlantic, LLC. Joint petition of Verizon Pennsylvania, LLC and Cavalier Telephone Mid-Atlantic, LLC for approval of an amendment to interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon Pennsylvania, LLC and Cavalier Telephone Mid-Atlantic, LLC, by their counsel, filed on June 22, 2020, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an amendment to 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, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Verizon Pennsylvania, LLC and Cavalier Telephone Mid-Atlantic, LLC joint petition are available for inspection at the Commission's web site at www.puc.pa.gov and at the applicant's business web site.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 20-882. Filed for public inspection July 2, 2020, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications

A-2020-3020452. Verizon North, LLC and BullsEye Telecom, Inc. Joint petition of Verizon North, LLC and BullsEye Telecom, Inc. for approval of an interconnection agreement amendment under section 252(i) of the Telecommunications Act of 1996.

Verizon North, LLC and BullsEye Telecom, Inc., by their counsel, filed on June 15, 2020, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Verizon North, LLC and BullsEye Telecom, Inc. joint petition are available for inspection at the Commission's web site at www.puc.pa.gov and at the applicant's business web site.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 20-883. Filed for public inspection July 2, 2020, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications

A-2020-3020455. Verizon Pennsylvania, LLC and Business Telecom, Inc. Joint petition of Verizon Pennsylvania, LLC and Business Telecom, Inc. for approval of an amendment to interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon Pennsylvania, LLC and Business Telecom, Inc., by their counsel, filed on June 22, 2020, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an amendment to 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, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Verizon Pennsylvania, LLC and Business Telecom, Inc. joint petition are available for inspection at the Commission's web site at www.puc.pa.gov and at the applicant's business web site.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 20-884. Filed for public inspection July 2, 2020, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications

A-2020-3020462. Verizon Pennsylvania, LLC and ATX Licensing, Inc. Joint petition of Verizon Pennsylvania, LLC and ATX Licensing, Inc. for approval of an amendment to interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon Pennsylvania, LLC and ATX Licensing, Inc., by their counsel, filed on June 22, 2020, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an amendment to 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, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Verizon Pennsylvania, LLC and ATX Licensing, Inc. joint petition are available for inspection at the Commission's web site at www.puc.pa.gov and at the applicant's business web site.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 20-885. Filed for public inspection July 2, 2020, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications

A-2020-3020467. Verizon Pennsylvania, LLC and A.R.C. Networks, Inc. Joint petition of Verizon Pennsylvania, LLC and A.R.C. Networks, Inc. for approval of an amendment to interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon Pennsylvania, LLC and A.R.C. Networks, Inc., by their counsel, filed on June 22, 2020, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an amendment to 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, 400 North Street, Harrisburg,

PA 17120. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Verizon Pennsylvania, LLC and A.R.C. Networks, Inc. joint petition are available for inspection at the Commission's web site at www.puc.pa.gov and at the applicant's business web site.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 20-886. Filed for public inspection July 2, 2020, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications

A-2020-3020474. Verizon North, LLC and Choice One Communications of Pennsylvania, Inc. Joint petition of Verizon North, LLC and Choice One Communications of Pennsylvania, Inc. for approval of an amendment to interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon North, LLC and Choice One Communications of Pennsylvania, Inc., by their counsel, filed on June 22, 2020, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an amendment to 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, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Verizon North, LLC and Choice One Communications of Pennsylvania, Inc. joint petition are available for inspection at the Commission's web site at www.puc.pa.gov and at the applicant's business web site.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 20-887. Filed for public inspection July 2, 2020, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications

A-2020-3020480. Verizon North, LLC, TelCove Operations, LLC and TelCove of Pennsylvania, LLC. Joint petition of Verizon North, LLC, TelCove Operations, LLC and TelCove of Pennsylvania, LLC for approval of an

interconnection agreement amendment under section 252(i) of the Telecommunications Act of 1996.

Verizon North, LLC, TelCove Operations, LLC and TelCove of Pennsylvania, LLC, by their counsel, filed on June 22, 2020, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Verizon North, LLC, TelCove Operations, LLC and TelCove of Pennsylvania, LLC joint petition are available for inspection at the Commission's web site at www.puc.pa.gov and at the applicant's business web site.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 20-888. Filed for public inspection July 2, 2020, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications

A-2020-3020482. Verizon North, LLC and Comcast Business Communications, LLC. Joint petition of Verizon North, LLC and Comcast Business Communications, LLC for approval of an amendment to interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon North, LLC and Comcast Business Communications, LLC, by their counsel, filed on June 22, 2020, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an amendment to 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, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Verizon North, LLC and Comcast Business Communications, LLC joint petition are available for inspection at the Commission's web site at www.puc.pa.gov and at the applicant's business web site.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 20-889. Filed for public inspection July 2, 2020, 9:00 a.m.]

**PENNSYLVANIA PUBLIC
UTILITY COMMISSION**

Telecommunications

A-2020-3020489. Verizon North, LLC and Delta Telecom, Inc. Joint petition of Verizon North, LLC and Delta Telecom, Inc. for approval of an amendment to interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon North, LLC and Delta Telecom, Inc., by their counsel, filed on June 22, 2020, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an amendment to 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, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Verizon North, LLC and Delta Telecom, Inc. joint petition are available for inspection at the Commission's web site at www.puc.pa.gov and at the applicant's business web site.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 20-890. Filed for public inspection July 2, 2020, 9:00 a.m.]

**PENNSYLVANIA PUBLIC
UTILITY COMMISSION**

Telecommunications

A-2020-3020494. Verizon North, LLC and Comcast Phone of Pennsylvania, LLC. Joint petition of Verizon North, LLC and Comcast Phone of Pennsylvania, LLC for approval of an interconnection agreement amendment under section 252(i) of the Telecommunications Act of 1996.

Verizon North, LLC and Comcast Phone of Pennsylvania, LLC, by their counsel, filed on June 22, 2020, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania

Public Utility Commission, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Verizon North, LLC and Comcast Phone of Pennsylvania, LLC joint petition are available for inspection at the Commission's web site at www.puc.pa.gov and at the applicant's business web site.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 20-891. Filed for public inspection July 2, 2020, 9:00 a.m.]

**STATE CHARTER SCHOOL
APPEAL BOARD**

Schedule of Meetings

The State Charter School Appeal Board will meet as follows*:

July 21, 2020	1 p.m.	Heritage Suite A
September 22, 2020	1 p.m.	Honors Suite
October 27, 2020	1 p.m.	Heritage Suite A
December 1, 2020	1 p.m.	Heritage Suite A
January 12, 2021	1 p.m.	Heritage Suite A
February 23, 2021	1 p.m.	Honors Suite
April 13, 2021	1 p.m.	Honors Suite
May 18, 2021	1 p.m.	Honors Suite
June 15, 2021	1 p.m.	Honors Suite

Unless due and timely notice to the contrary is given, these meetings will be held as previously stated. The Department of Education is located at 333 Market Street, Harrisburg, PA. Heritage A is located off the lobby immediately past the security gates, and the Honors Suite is on the 1st Floor (take second bank of elevators to 1st Floor).

Persons with disabilities needing special accommodations to attend the meetings may contact Sara Hockenberry, Counsel to the Board, 333 Market Street, Harrisburg, PA 17126-0333, (717) 787-5500, or the Pennsylvania AT&T Relay Service, (800) 654-5984 at least 24 hours in advance so that arrangements can be made.

*Locations are subject to change due to the novel coronavirus (COVID-19) pandemic restrictions.

SARA M. HOCKENBERRY,
Board Counsel

[Pa.B. Doc. No. 20-892. Filed for public inspection July 2, 2020, 9:00 a.m.]

**THADDEUS STEVENS
COLLEGE OF TECHNOLOGY**

Request for Bids

Thaddeus Stevens College of Technology is soliciting bids for Project 20-0001 for a variety of construction products such as lumber, insulation, stair stringers, wall plates, fasteners, hardware and finish materials to complete an entire duplex residence. Bid documents can be obtained from Carrie Harmon, Thaddeus Stevens College, 750 East King Street, Lancaster, PA 17602, Harmon@stevenscollege.edu.

BETTY TOMPOS,
Interim President

[Pa.B. Doc. No. 20-893. Filed for public inspection July 2, 2020, 9:00 a.m.]
