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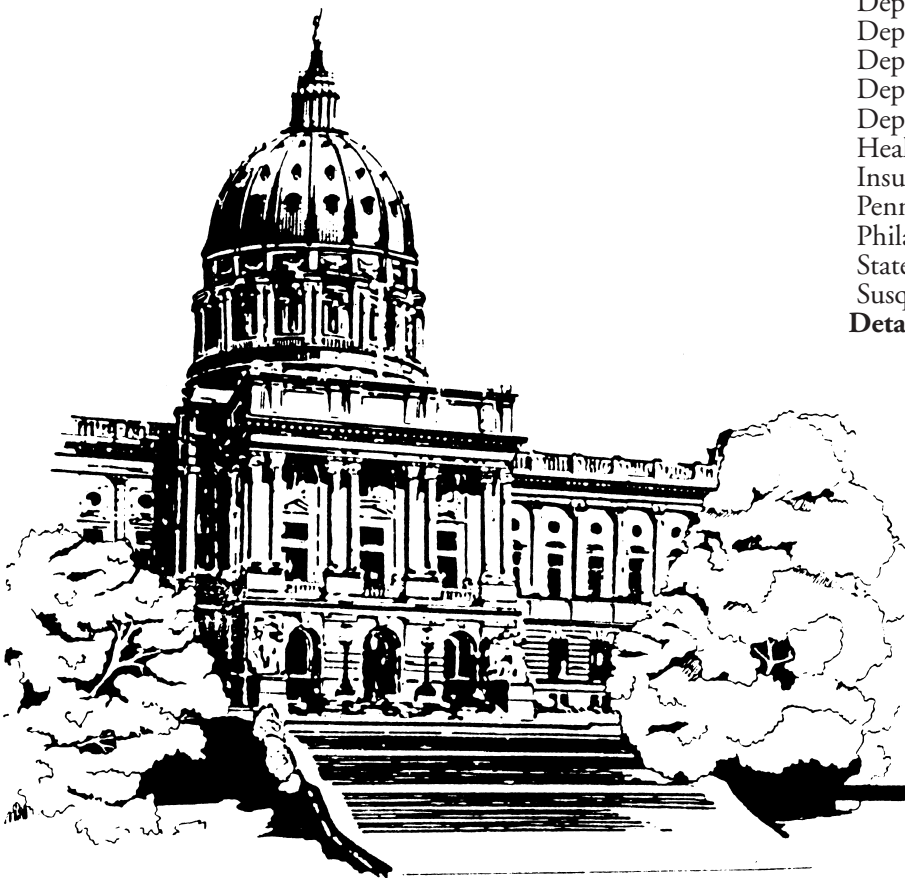
See Part II page 125
for The General Assembly

See Part III page 271
for the Subject Index for
January—December 2022

Part I

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Department of Banking and Securities
Department of Environmental Protection
Department of Health
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Department of Transportation
Health Care Cost Containment Council
Insurance Department
Pennsylvania Public Utility Commission
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Susquehanna River Basin Commission
Detailed list of contents appears inside.



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

No. 578, January 2023

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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 2023.

4 Pa. Code (Administration)

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THE GOVERNOR

Title 4—ADMINISTRATION

PART I. GOVERNOR'S OFFICE

[4 PA. CODE CH. 6 AND 7a]

[EXECUTIVE ORDER NO. 2022-05]

Pennsylvania Food Policy Council

December 15, 2022

Whereas, the Wolf administration has prioritized improving Pennsylvania's food system and has done so through various means, including establishing the Governor's Food Security Partnership, funding the expansion of cold storage in food banks, creating the Fresh Food Financing Initiative and Pennsylvania Hunger-Free Campus Initiative, increasing access and expanded eligibility for food assistance programs, utilizing the Pennsylvania Agriculture Surplus System, and proposing and implementing the first state-level Pennsylvania Farm Bill; and

Whereas, food insecurity, hunger, inadequate nutrition, and food waste remain serious problems in the Commonwealth of Pennsylvania, with too many of our citizens unable to access affordable, fresh, nutritious, and culturally diverse food for themselves or their families; and

Whereas, proper nutrition plays a significant role in reducing infant mortality and health problems associated with aging, and in improving the ability of children to learn in school and the job readiness of workers; and

Whereas, there are significant economic and workforce development benefits to the Commonwealth and its residents from expanding the use of Pennsylvania agricultural products in public and private food and nutrition delivery systems; and

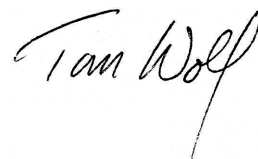
Whereas, the United States Department of Agriculture's Economic Research Service found that 10.2 percent of Pennsylvania households were food insecure in 2021; and

Whereas, the Pennsylvania Department of Environmental Protection estimates that more than 2.7 million tons of food waste are produced in Pennsylvania annually; and

Whereas, the food system must be sustainable and resilient in the face of shocks and stresses from climate change, historic inequities, international conflicts, supply chain interruptions, and other disruptions; and

Whereas, through resources available to the public sector in conjunction with novel efforts in the private sector, Pennsylvania seeks to ensure better access to food, improved nutrition, and reduced food waste in the Commonwealth of Pennsylvania.

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 establish the Pennsylvania Food Policy Council and do hereby direct the following:



Governor

Fiscal Note: GOV-2022-05. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 4. ADMINISTRATION

PART I. GOVERNOR'S OFFICE

CHAPTER 6. ADDITIONAL COUNCILS AND COMMITTEES

Subchapter PPP. PENNSYLVANIA FOOD POLICY COUNCIL

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6.802.	Composition of the Pennsylvania Food Policy Council.
6.803.	Duties and responsibilities.
6.804.	Director of the Pennsylvania Food Policy Council.
6.805.	Pennsylvania Food Policy Council Advisory Committee.
6.806.	Compensation.
6.807.	Effective date.
6.808.	Termination date.
6.809.	Rescission.

§ 6.801. Purpose of the Pennsylvania Food Policy Council.

The Pennsylvania Food Policy Council is established to:

- (1) Evaluate issues facing Pennsylvania's food system including, but not limited to, developing and implementing strategies to improve food security and nutrition, and reduce food waste.
- (2) Facilitate coordination of interagency efforts designated to reduce hunger and improve nutrition for residents of this Commonwealth over their entire lifespan.
- (3) Facilitate the organization of private and public sector efforts to improve the Commonwealth's response to challenges in the food system and support food sovereignty.

§ 6.802. Composition of the Pennsylvania Food Policy Council.

The Pennsylvania Food Policy Council (Council) shall consist of nine members as follows:

- (1) The Director of the Council.
- (2) The Secretary of Aging or the Secretary's designee.
- (3) The Secretary of Agriculture or the Secretary's designee.
- (4) The Secretary of Community and Economic Development or the Secretary's designee.
- (5) The Secretary of Education or the Secretary's designee.
- (6) The Secretary of Environmental Protection or the Secretary's designee.
- (7) The Secretary of Health or the Secretary's designee.
- (8) The Secretary of Human Services or the Secretary's designee.
- (9) The Secretary of Labor and Industry or the Secretary's designee.

§ 6.803. Duties and responsibilities.

The Pennsylvania Food Policy Council (Council) shall have the following duties and responsibilities:

- (1) Make recommendations to promote coordination, communication, and joint planning between agency programs and external partners in the private sector to improve Pennsylvania's food system.
- (2) Develop recommendations on ways entities may work cooperatively to reach those who are at the highest risk of hunger, and to expand food and nutrition delivery systems to improve access to food and nutrition services for those in need.
- (3) Identify gaps in food and nutrition delivery systems through statistical and program analyses, surveys, studies and public hearings and make recommendations on strategies to fill those gaps.
- (4) Develop recommendations to reduce food waste across this Commonwealth.

(5) Develop and implement strategies to expand the use of this Commonwealth's agricultural products in public and private food and nutrition delivery systems.

(6) Identify grants and other opportunities to further address the challenges and opportunities of the Commonwealth's food system.

(7) Develop a Food Action Plan for this Commonwealth and update the plan on a biennial basis. The Food Action Plan must include a strategic plan for implementing policies with benchmarks and criteria for measuring progress.

(8) Submit an annual report in January 2024, and every year thereafter, with accomplishments, recommendations and findings to the Governor. The Council may submit other reports to the Governor, as it deems necessary, on the identified areas of responsibility of the Council under this subchapter.

(9) Convene at least quarterly and at the call of the Director of the Council. Council members may attend meetings in-person or virtually, or through a combination thereof, at the discretion of the Director. In-person or virtual participation shall be considered attendance for purposes of constituting a quorum.

§ 6.804. Director of the Pennsylvania Food Policy Council.

The Governor shall appoint a Director of the Pennsylvania Food Policy Council (Director), who shall serve as the Chair of the Pennsylvania Food Policy Council and will be an employee of the Department of Agriculture. The Director shall:

(1) Prepare agendas, timelines and meeting schedules; convene meetings; and oversee the activities of the Pennsylvania Food Policy Council (Council).

(2) Facilitate interdepartmental cooperation on food access, nutrition and food waste.

(3) Identify shocks and stresses that jeopardize Pennsylvania's food system and opportunities to strengthen the food system.

(4) Review and evaluate the operations and policies of all Federal and State food security programs administered by the Commonwealth.

(5) Assist the Council in coordinating private and public sector collaboration opportunities.

§ 6.805. Pennsylvania Food Policy Council Advisory Committee.

The Director of the Pennsylvania Food Policy Council may establish an advisory committee to assist the Pennsylvania Food Policy Council (Council), as appropriate. The Pennsylvania Food Policy Council Advisory Committee (Advisory Committee) shall be chaired by a member of the Council. The Chair of the Pennsylvania Food Policy Council shall be appointed by the Governor and serve at the Governor's pleasure. The Advisory Committee shall consist of 16 members appointed by the Governor. Members of the Advisory Committee serve at the pleasure of the Governor. Whenever possible, members shall be selected to ensure geographic representation and to build a diverse membership that represents this Commonwealth. The Advisory Committee shall include representatives from:

- (1) Three regional food policy councils.
- (2) One food retailer or manufacturer.
- (3) One urban agriculture organization.
- (4) One Statewide farmer organization.
- (5) One food security organization.
- (6) Two Statewide charitable food organizations.
- (7) One food waste organization.
- (8) One health or nutrition organization.
- (9) One Pennsylvania Agricultural Surplus System farmer.
- (10) One school nutrition expert.

(11) One expert on immigration topics.

(12) One representative of the United States Department of Agriculture's Food and Nutrition Service.

(13) One representative from Penn State Extension.

§ 6.806. Compensation.

Members of the Pennsylvania Food Policy Council Advisory Committee shall serve without compensation. See Chapter 40 (relating to travel and subsistence).

§ 6.807. Effective date.

This subchapter shall take effect immediately.

§ 6.808. Termination date.

This subchapter shall remain in effect until revised or rescinded by the Governor.

§ 6.809. Rescission.

Effective immediately, Executive Order 2015-12, dated September 29, 2015, is hereby rescinded.

CHAPTER 7a. ADDITIONAL MISCELLANEOUS PROVISIONS

**Subchapter L. GOVERNOR'S FOOD SECURITY PARTNERSHIP
AND ADVISOR TO THE GOVERNOR ON FOOD AND
NUTRITION PROGRAMS**

§§ 7a.131—7a.137. [Reserved].

(Editor's Note: Subchapter L, §§ 7a.131—7a.137, which is the codification of Executive Order 2015-12, is reserved as a result of the rescission of Executive Order 2015-12 under § 6.809.)

[Pa.B. Doc. No. 23-1. Filed for public inspection January 6, 2023, 9:00 a.m.]

THE COURTS

Title 249—PHILADELPHIA RULES

PHILADELPHIA COUNTY

Electronic Filing Fee-Trial Division, Civil; Administrative Order No. 24 of 2022

Order

And Now, this 19th day of December 2022, as authorized by Act 81 of 2006 and Philadelphia Civil Rule *205.4(d)(3), *It Is Hereby Ordered*, and *Decreed* that effective January 30, 2023, the Office of Judicial Records shall collect an Electronic Filing Fee in the sum of Twenty-Five (\$25.00) Dollars for each legal paper filed with the Office of Judicial Records in connection with cases filed in the Trial Division—Civil, Court of Common Pleas for which a filing fee is now charged.

This Administrative Order shall be published in the *Pennsylvania Bulletin*. The original Administrative Order shall be filed with the Office of Judicial Records in a docket maintained for Administrative Orders issued by the Administrative Judge of the Trial Division, Court of Common Pleas, and copies shall be submitted to the *Pennsylvania Bulletin* for publication. Copies of the order shall be submitted to Administrative Office of Pennsylvania Courts, the American Lawyer Media, *The Legal Intelligencer*, Jenkins Memorial Library and the Law Library for the First Judicial District and shall be posted on the website of the First Judicial District of Pennsylvania: <http://courts.phila.gov>.

By the Court

HONORABLE IDEE C. FOX,
President Judge
Court of Common Pleas, Philadelphia County
First Judicial District of Pennsylvania

[Pa.B. Doc. No. 23-2. Filed for public inspection January 6, 2023, 9:00 a.m.]

Title 255—LOCAL COURT RULES

BUCKS COUNTY

Venue Transfer for Delaware Valley University—All Filings; Administrative Order No. 113

Order

And Now, this 21st day of December, 2022, it is hereby ordered and directed that venue for all matters, including civil, landlord-tenant, criminal, traffic and non-traffic cases, occurring on the premises of the Delaware Valley University shall lie in Magisterial District Court No. 07-2-02.

This order is entered in accordance with Pa.R.J.A. No. 605 and the Re-establishment Plan for Magisterial District Courts of the 7th Judicial District, which has been approved by the Pennsylvania Supreme Court. The previous assignment of venue is ordered to promote the efficient administration of justice in Bucks County, specifically in Magisterial District Courts 07-2-08 (New Britain) and 07-2-02 (Doylestown).

This order shall be effective February 1, 2023.

By the Court

WALLACE H. BATEMAN, Jr.,
President Judge

[Pa.B. Doc. No. 23-3. Filed for public inspection January 6, 2023, 9:00 a.m.]

Title 255—LOCAL COURT RULES

BUCKS COUNTY

Venue Transfer for Parx Casino Complex—All Filings; Administrative Order No. 112

Order

And Now, this 21st day of December, 2022, it is hereby ordered and directed that venue for all matters, including civil, landlord-tenant, criminal, traffic and non-traffic cases, occurring on the premises of the Parx Casino Complex shall lie in Magisterial District Court No. 07-1-09.

This order is entered in accordance with Pa.R.J.A. No. 605 and the Re-establishment Plan for Magisterial District Courts of the 7th Judicial District, which has been approved by the Pennsylvania Supreme Court. The previous assignment of venue is ordered to promote the efficient administration of justice in Bucks County, specifically in Magisterial District Courts 07-1-12 (Bensalem) and 07-1-09 (Warminster).

This order shall be effective February 1, 2023.

By the Court

WALLACE H. BATEMAN, Jr.,
President Judge

[Pa.B. Doc. No. 23-4. Filed for public inspection January 6, 2023, 9:00 a.m.]

Title 255—LOCAL COURT RULES

BUCKS COUNTY

Venue Transfer for Pennsylvania State Park Rangers—Criminal, Traffic and Non-Traffic Filings; Administrative Order No. 114

Order

And Now, this 21st day of December, 2022, it is hereby ordered and directed that venue for all criminal, traffic and non-traffic filings by Pennsylvania State Park Rangers for offenses occurring on the grounds of Neshaminy State Park shall lie in Magisterial District Court No. 07-1-02.

This order is entered in accordance with Pa.R.J.A. No. 605 and the Re-establishment Plan for Magisterial District Courts of the 7th Judicial District, which has been approved by the Pennsylvania Supreme Court. The previous assignment of venue is ordered to promote the efficient administration of justice in Bucks County, specifically in Magisterial District Courts 07-1-01 (Bensalem) and 07-1-02 (Bristol).

This order shall be effective February 1, 2023.

By the Court

WALLACE H. BATEMAN, Jr.,
President Judge

[Pa.B. Doc. No. 23-5. Filed for public inspection January 6, 2023, 9:00 a.m.]

Title 255—LOCAL COURT RULES

BUCKS COUNTY

Venue Transfer for Pennsylvania State Police Criminal Filings—Interstate Route 95 between Philadelphia Boundary and Mile Marker 40, North- and South-Bound; Administrative Order No. 111

Order

And Now, this 21st day of December, 2022, it is hereby ordered and directed that venue for all criminal cases filed by the Pennsylvania State Police for offenses occurring on the right of way of Interstate Route 95 between the Philadelphia boundary and mile marker 40, both north- and south-bound, shall lie in Magisterial District Court No. 07-1-02.

This order is entered in accordance with Pa.R.J.A. No. 605 and the Re-establishment Plan for Magisterial District Courts of the 7th Judicial District, which has been approved by the Pennsylvania Supreme Court. The previous assignment of venue is ordered to promote the efficient administration of justice in Bucks County, specifically in Magisterial District Courts 07-1-01 (Bensalem) and 07-1-02 (Bristol).

This order shall be effective February 1, 2023.

By the Court

WALLACE H. BATEMAN, Jr.,
President Judge

[Pa.B. Doc. No. 23-6. Filed for public inspection January 6, 2023, 9:00 a.m.]

Title 255—LOCAL COURT RULES

BUTLER COUNTY

Guardian Ad Litem Appointments; MsD No. 2022-40226

Administrative Order of Court

And Now, this 19th day of December, 2022, it is hereby Ordered that the Butler County Guardian Ad Litem Policies in Custody Matters are amended as follows hereto.

These amendments to the Butler County Guardian Ad Litem Policies in Custody Matters are adopted and effective 30 (thirty) days after publication in the *Pennsylvania Bulletin*.

It is Ordered, in accordance with Pa.R.J.A. 103, that the District Court Administrator shall:

1. File one (1) certified copy of this Administrative Order of Court and the within Guardian Ad Litem Policies in Custody Matters with the Administrative Office of the Pennsylvania Courts;

2. File two (2) certified copies of this Administrative Order of Court and the within Guardian Ad Litem Policies in Custody Matters and one (1) diskette, CD-ROM, or other agreed upon alternate format that complies with 1 Pa. Code § 13.11(b), with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

3. Publish this Administrative Order of Court on the Butler County Court of Common Pleas website; and,

4. Incorporate the local rule into the complete set of local rules, and keep continuously available for public inspection copies of this Administrative Order of Court and the within Guardian Ad Litem Policies in Custody Matters in the Office of the Prothonotary of Butler County, Pennsylvania.

By the Court

S. MICHAEL YEAGER,
President Judge

Butler County Guardian Ad Litem Policies in Custody Matters

The following process and procedures shall be followed when appointing Guardians Ad Litem in custody matters:

I. *Qualifications of Guardians Ad Litem*

1. Is a Pennsylvania-licensed attorney or licensed mental health practitioner.

2. Has practiced family law or practiced within the mental health profession for a minimum of one (1) year.

3. Will obtain, and maintain, if necessary, clearances pursuant to Act 34 (Criminal Record Check), Act 151 (Child Abuse Background Checks), and Act 114 (Fingerprinting).

4. Has completed the Pre-Service Training for Guardians Ad Litem video and filed the accompanying Affidavit with Domestic Relations.

5. Maintains professional liability insurance at a minimum coverage of \$100,000.00 per occurrence and \$300,000.00 in the aggregate per year, subject to commercially reasonable deductibles, retention or co-insurance.

6. Licensed attorneys shall complete a minimum of three (3) substantive credit hours per year of continuing legal education (CLE) in an area relevant to custody.

7. Mental health professionals shall complete a minimum of three (3) hours per year of continuing education (CE).

II. *Appointments*

1. Appointments may be made after the Court makes a finding that the appointment is necessary, pursuant to Pa.R.C.P. 1915.11-12.

2. Appointments may be made on the Court's own motion or the motion of a party.

3. Domestic Relations shall maintain a list of qualified Guardians Ad Litem from which appointments shall be made.

4. Each year, no later than January 5, proposed Guardians Ad Litem shall provide the following updated documents to Domestic Relations:

—Professional liability statement (Rider);

—Evidence of having earned three (3) substantive CLE or CE credits in an area relevant to custody during the prior year;

—Current clearances (if prior has expired);

—Letter setting forth their standard hourly rate;

—If, at any time, an attorney or mental health practitioner who has been appointed by the Court in a particular case, or who has requested that Domestic Relations place them on the list to be considered for appointment, no longer meets the qualifications set forth above, then he/she shall be responsible for immediately notifying the Domestic Relations Director and the judge assigned to any case to which the Guardian Ad Litem has been appointed. His/her name shall be removed from the list, and/or appointment, until such time as the qualifications are met.

5. Any attorney or mental health practitioner who meets the above qualifications may submit their name to the judge, to be placed on the list of Guardians Ad Litem.

6. The specific Guardian Ad Litem appointed to a case may be chosen by either mutual consent of the parties, or by the judge. To ensure that no one Guardian Ad Litem is overburdened with responsibility and that there is no other conflict, the Court will confirm the proposed Guardian Ad Litem has appropriate availability to timely meet the responsibilities of such appointment in each case, prior to the issuance of an Order of Court making the appointment.

III. *Payment*

1. If both parties are determined by the Court to be indigent, the Court may order compensation to be paid from the Court's budget to the Guardian Ad Litem at the hourly rate of \$75.00.

2. Otherwise, costs shall be paid by the parties at that Guardian Ad Litem's standard hourly rate. Pursuant to Pa.R.C.P. 1915.11-2(b), the Court may order either or both parties to pay all or part of the costs of the Guardian Ad Litem.

3. As set forth above, each Guardian Ad Litem shall provide to Domestic Relations a letter setting forth his/her standard hourly rate. That rate shall be noted on the list of Guardians Ad Litem kept by Domestic Relations, and shall be made available to counsel for the parties or the parties (if self-represented) for review prior to the appointment of the Guardian Ad Litem.

4. If the costs of the Guardian Ad Litem are to be paid by the parties, the Court may employ its contempt powers to address non-payment of these costs.

5. During the term of his or her appointment, it shall be the responsibility of the Guardian Ad Litem to ensure that adequate funds are being held in escrow by the Prothonotary from which to pay the Guardian Ad Litem's fees.

IV. *Scope of Appointment*

1. The Guardian Ad Litem shall perform all of his/her duties in conformity with Pa.R.C.P. 1915-11-2, the Code of Civility, the Rules of Professional conduct, and Pennsylvania law.

2. Unless earlier terminated by the Court, the appointment shall terminate upon the entry of a final order resolving the matter for which the appointment was made. In extraordinary circumstances, the Court may, if in the best interest of the child(ren), extend the appointment by separate Order of Court.

[Pa.B. Doc. No. 23-7. Filed for public inspection January 6, 2023, 9:00 a.m.]

RULES AND REGULATIONS

Title 49—PROFESSIONAL AND VOCATIONAL STANDARDS

STATE BOARD OF MEDICINE

[49 PA. CODE CHS. 16 AND 17]

Examinations

The State Board of Medicine (Board) amends §§ 16.1 and 17.11 and deletes §§ 17.12 and 17.12c, to read as set forth in Annex A.

Effective Date

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

Statutory Authority

Section 24(a) of the Medical Practice Act of 1985 (act) (63 P.S. § 422.24(a)) gives the Board authority to require an applicant to take and pass an examination to the satisfaction of the Board. Section 24(c) of the act requires that all written, oral and practice examinations shall be prepared and administered by a qualified and approved professional testing organization. Under section 24(d) of the act, when the Board accepts an examination given by an examination agency, the Board may establish the criteria for passing or accept the criteria for passing established by the examination agency.

Section 8 of the act (63 P.S. § 422.8) authorizes the Board to “adopt such regulations as are reasonably necessary to carry out the purposes of the act,” including the licensure of qualified individuals as physicians.

Background and Need for this Final-Form Rulemaking

The United States Medical Licensing Examination (USMLE) is the examination co-sponsored and administered by the Federation of State Medical Boards (FSMB) and the National Board of Medical Examiners (NBME). USMLE was created in response to the need for one path to medical licensure for allopathic physicians in the United States. Before the USMLE, multiple examinations (the NBME Parts Examination and the Federation Licensing Examination [FLEX]) offered paths to medical licensure. It was desirable to create one examination system accepted in every state, to ensure that all licensed medical doctors (MD) pass the same assessment standards regardless of where individuals received education and training. Today, all state medical boards in the United States utilize the USMLE. The USMLE is used for licensure of graduates of accredited MD-granting medical schools in the United States and graduates of International Medical Schools recognized by the Education Commission for Foreign Medical Graduates (ECFMG).

To ensure that all licensed medical doctors have passed the same assessment standards, following the same rules, the Board intends to rely on the FSMB and the NBME to determine individual USMLE standards, including the order in which the steps may be taken, the number of attempts permitted for any one step of the USMLE, and the time required between attempts.

In addition to updating its regulations to conform to the current National examination for medical licensure, the Board also considered existing regulatory provisions related to former medical licensure examinations and determined that some updates were necessary. While the Board’s existing regulations refer to examinations that are no longer administered, the Board updates those provisions to ensure that the regulations appropriately reflect examination standards for those former examinations so that MDs who have taken older examinations or combinations of the older examinations may apply for licensure or participate in graduate medical training in this Commonwealth.

Summary and Response to Comments

Notice of the proposed rulemaking was published at 51 Pa.B. 6042 (September 18, 2021). Publication was followed by a 30-day public comment period during which the Board received no public comments. Additionally, there were no comments received from Independent Regulatory Review Commission (IRRC) other than to say that they have no objections, comments or recommendations to offer. IRRC further advised that if the final form rulemaking is delivered without revisions, and the committees do not take any action, it will be deemed approved. The House Professional Licensure Committee (HPLC) and the Senate Consumer Protection and Professional Licensure Committee (SCP/PLC) did not submit comments.

Fiscal Impact and Paperwork Requirements

The regulation will not have any fiscal impact on licenses, the Board, or the Commonwealth, nor is any additional paperwork anticipated.

Sunset Date

The Board continuously monitors its regulations; therefore, no sunset date has been assigned.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on October 12, 2022, the Board submitted a copy of this rulemaking and a copy of a Regulatory Analysis Form to IRRC and to the Chairpersons of the SCP/PLC and the HPLC. A copy of this material is available to the public upon request.

Under section 5(c) of the Regulatory Review Act, IRRC, the HPLC and the SCP/PLC were provided with copies of the comments received during the public comment period, as well as other documents when requested. In preparing the final-form rulemaking, the Board has made no revisions based on a lack of comments received from the public, IRRC, the HPLC and the SCP/PLC.

Under section 5.1(g)(3) and (j.2) of the Regulatory Review Act (71 P.S. § 745.5a(g)(3) and (j.2)), on November 16, 2022, the final-form rulemaking was deemed approved by the HPLC and the SCP/PLC. Under section 5.1(e) of the Regulatory Review Act, IRRC met on November 17, 2022, and approved the final-form rulemaking.

Additional Information

Additional information may be obtained by writing to Jasmira Hunter, Board Administrator, State Board of Medicine, P.O. Box 2649, Harrisburg, PA 17105-2649, ST-MEDICINE@pa.gov.

Findings

The State Board of Medicine finds that:

- (1) Public notice of proposed rulemaking was given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201 and 1202), referred to as the Commonwealth Documents Law, and the regulations promulgated under those sections at 1 Pa. Code §§ 7.1 and 7.2 (relating to notice of proposed rulemaking required; and adoption of regulations).
- (2) A public comment period was provided as required by law and no comments were received.
- (3) Amendments were not made to this final-form rulemaking and therefore the final-form rulemaking does not enlarge the original purpose of the proposed rulemaking published at 51 Pa.B. 6042.
- (4) This final-form rulemaking is necessary and appropriate for the administration of the act.

Order

The Board, acting under its authorizing statute, orders that:

- (a) The regulations of the Board at 49 Pa. Code Chapters 16 and 17, are amended by amending §§ 16.1 and 17.11 and deleting §§ 17.12 and 17.12c to read as set forth in Annex A, with ellipses referring to the existing text of the regulations.
- (b) The Board shall submit a copy of this final-form rulemaking to the Office of the Attorney General and the Office of General Counsel for approval as required by law.
- (c) The Board shall submit this final-form rulemaking to IRRC, the HPLC and the SCP/PLC as required by law.
- (d) The Board shall certify this final-form rulemaking and shall deposit it with the Legislative Reference Bureau as required by law.
- (e) This final-form rulemaking shall take effect immediately upon publication in the *Pennsylvania Bulletin*.

MARK B. WOODLAND, MS, MD,
Chairperson

(Editor's Note: See 52 Pa.B. 7487 (December 3, 2022) for IRRC's approval order.)

Fiscal Note: Fiscal Note 16A-4948 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 16. STATE BOARD OF MEDICINE—GENERAL PROVISIONS

Subchapter A. BASIC DEFINITIONS AND INFORMATION

§ 16.1. Definitions.

The following words and terms, when used in this chapter and Chapters 17 and 18 (relating to State Board of Medicine—medical doctors; and State Board of Medicine—practitioners other than medical doctors), have the following meanings, unless the context clearly indicates otherwise:

* * * * *

ECFMG—The Educational Commission for Foreign Medical Graduates.

FLEX—The Federation Licensing Examination, which was used by the Board to test applicants for a license to practice medicine and surgery without restriction. The examination was comprised of two components—FLEX I and FLEX II. The last regular administration of FLEX I and FLEX II was in December 1993.

Federation—The Federation of State Medical Boards of the United States, Inc.

* * * * *

Treatment regimen—The provision of care and practice of a component of the healing arts by a Board-regulated practitioner.

USMLE—The United States Medical Licensing Examination, a single, uniform examination for medical licensure consisting of three steps. The examination is provided by the Federation of State Medical Boards (FSMB) and the National Board of Medical Examiners (NBME) and replaces the FLEX and the NBME National Boards Parts examination.

Unaccredited medical college—An institution of higher learning which provides courses in the arts and sciences of medicine and related subjects, is empowered to grant professional and academic degrees in medicine, is listed by the World Health Organization or is otherwise recognized as a medical college by the country in which it is situated, and is not accredited by an accrediting body recognized by the Board.

CHAPTER 17. STATE BOARD OF MEDICINE—MEDICAL DOCTORS

Subchapter B. EXAMINATION INFORMATION

§ 17.11. Examination information for license without restriction.

(a) *FLEX*. FLEX I and FLEX II as outlined in § 17.1(a)(1)(ii) (relating to license without restriction) satisfies the examination requirement for a license without restriction.

(b) *Licensing examination of Federation from June 1968 through December 1984*. This three-part examination, also called the FLEX, is the forerunner of the two-component FLEX examination in subsection (a). A passing score on this three-part examination, as outlined in § 17.1(a)(1)(iii), satisfies the examination requirement for a license without restriction.

(c) *National Boards*. This examination comprised of Parts I, II and III was given in most accredited medical colleges. A passing score on this examination satisfies the examination requirement for a license without restriction.

(d) *USMLE*. This examination is a uniform examination for licensure which replaces the National Boards Parts I, II and III and FLEX I and FLEX II. Steps 1, 2 and 3 of USMLE are given throughout the year at times and places designated by FSMB and NBME. USMLE eligibility requirements for each step or step component of the USMLE are jointly set by FSMB and NBME. A passing score on all three steps of USMLE, as determined by FSMB and NBME and as outlined in § 17.1(a)(1)(i), satisfies the examination requirement for a license without restriction.

(e) *Examination of the Medical Council of Canada*. This is an examination offered in Canada which has been adopted as a licensing examination in most of the provinces of Canada. A passing score on this examination, as determined by the Medical Council of Canada, satisfies

the examination requirement for a license without restriction if the examination was taken in English in or after May 1970.

(f) *State Board Examination.* This is an examination for a license to practice medicine and surgery without restriction, other than USMLE, FLEX or the forerunner of FLEX, which is used by a licensing authority in another state, territory or possession of the United States. A passing score on this examination, as determined by the licensing authority in the other jurisdiction, satisfies the examination requirement for a license without restriction if the examination was taken in English prior to December 1973.

§ 17.12. [Reserved.]

§ 17.12c. [Reserved.]

[Pa.B. Doc. No. 23-8. Filed for public inspection January 6, 2023, 9:00 a.m.]

Title 49—PROFESSIONAL AND VOCATIONAL STANDARDS

STATE BOARD OF MEDICINE

[49 PA. CODE CH. 18]

Orthotic Fitter Temporary Permits and Training

The State Board of Medicine (Board) amends §§ 18.841, 18.842 and 18.843 (relating to temporary practice permit; orthotic fitting care experience; and orthotic fitter license) to read as set forth in Annex A.

Effective Date

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

Statutory Authority

Section 8 of the Medical Practice Act of 1985 (act) (63 P.S. § 422.8) authorizes the Board to “adopt such regulations as are reasonably necessary to carry out the purposes of the act.” The act of July 5, 2012 (P.L. 873, No. 90) (Act 90 of 2012) amended the act to require the Board to issue licenses to prosthetists, orthotists, pedorthists and orthotic fitters; and to regulate the practice of these professions. In 2014, the act of July 2, 2014 (P.L. 941, No. 104) amended provisions of the act regarding orthotists, orthotic fitters, prosthetists and pedorthists. Section 13.5(a) of the act (63 P.S. § 422.13e(a)) sets forth licensing qualifications for orthotic fitters and the other professions. Section 13.5(a)(2)(iv) of the act requires successful completion of a board-approved, entry-level education program specific to orthotic fitting, a minimum of 1,000 hours of documented patient care and certification by an orthotic fitting organization recognized by the Institute for Credentialing Excellence (ICE), accredited by the National Commission for Certifying Agencies (NCCA) or approved by the board. Section 8 of the act authorizes the Board to adopt regulations that are reasonably necessary to carry out the purposes of the act.

Background and Need for Amendments

In 2016, the Board promulgated regulations to effectuate Act 90 of 2012. Section 18.841(d) of the Board’s regulations authorize an individual to practice as an orthotic fitter trainee for a period of up to 12 months prior to passing the orthotic fitter certification examination by means of a temporary practice permit. The

Board’s regulations do not allow renewal of a temporary practice permit. At their meeting on July 24, 2017, the Board’s Allied Health Committee (Committee) met with stakeholders to consider a proposal to extend the period for the holder of an orthotic fitter temporary practice permit from 12 months to 24 months.

Under the Board’s regulations, an orthotic fitter temporary practice permit may be issued to an individual who has completed a board-approved, entry-level education program specific to orthotic fitting. Completion of the 1,000 hours of orthotic fitting care experience is a prerequisite to be eligible to take the orthotic fitter certification examination offered by the two existing Board-approved certification entities, the Board of Certification (BOC) and the American Board of Certification (ABC). Thus, assuming an individual completes the 1,000 hours of experience within the first 25 weeks of the 1-year temporary practice permit, the individual would have 27 weeks to prepare for and pass the examination. Currently, based upon examination requirements, if an individual fails the examination five times, the individual is required to repeat the board-approved, entry-level education program specific to orthotic fitting before attempting to pass the examination for a sixth time.

There was a question raised as to whether the 27-week period after an individual completes the orthotic fitting care experience is sufficient to allow the temporary practice permit holders to adequately prepare to take the examination. In reviewing this issue, the Board determined that its original intent had been to allow temporary practice permit holders to take the examination up to the five times allowed by the two certification organizations, ABC and BOC. Extending the period that an individual can hold a temporary practice permit from 12 months to 18 months would be consistent with the Board’s original intent to allow the temporary practice permit holders to take the test up to five times by providing the permit holders with an additional 6 months to test before the expiration of the initial temporary practice permit. Additionally, the extension from 12 months to 18 months would also be consistent with other states that license orthotic fitters and the national certification standards. Accordingly, the Committee recommended that the Board initiate the process to amend its regulations to extend the period on which the Board voted and approved.

The Committee further considered a proposal to permit an individual to apply for a second temporary practice permit. However, the Committee was concerned that temporary practice permit holders may attempt to secure a second temporary practice permit without first attempting to take the licensure examination. This would allow the temporary practice permit holder to continue to work without meeting the State licensure requirements. The Committee concluded that the best way to ensure that this would not occur would be to only offer the second temporary practice permit to those individuals who had unsuccessfully attempted the certification examination at least three times. The Board decided further that prior to securing a second temporary practice permit, the individual must retake a Board-approved, entry-level education program specific to orthotic fitting. The Board concluded that this advances public safety by ensuring that unsuccessful examinees demonstrate a second successful completion of the educational program, ensuring that their education is up to date and that previously missing knowledge could be remediated.

Summary and Responses to Comments

Notice of the proposed rulemaking was published at 51 Pa.B. 180 (January 9, 2021). Publication was followed by a 30-day public comment period during which the Board received one public comment from BOC. In addition, the Independent Regulatory Review Commission (IRRC) submitted comments. The House Professional Licensure Committee (HPLC) and the Senate Consumer Protection and Professional Licensure Committee (SCP/PLC) did not submit comments.

BOC comment

Zach Chait, the Regulatory and Legislative Analyst from BOC, commented on the proposed rulemaking to suggest some changes to the language relating to the precertification courses for orthotic fitters. Specifically, Zach Chait indicated that neither ICE nor its accreditation arm, NCCA accredit or otherwise recognize specific courses of education, which would make it impossible for orthotic fitters to comply with this requirement. BOC suggests the elimination of this language, in its entirety, to avoid any unintended adverse effects on candidates seeking licensure.

IRRC comment

IRRC submitted three comments for the Board to address. In response to BOC's comment relating to the education program, IRRC first questions whether the amended language in § 18.841(b)(2) should track the act to say a "precertification education program approved by a credentialing organization recognized by ICE, accredited by NCCA and approved by the Board." IRRC asks the Board to clarify how an individual would comply with this requirement for licensure. In its second comment, IRRC asks the Board to clarify the provision in subsection (d) relating to failure of the examination at least three times. Finally, IRRC questions what "all facets" of orthotic fitting care includes in § 18.842(b) and requests that the Board explain how the regulated community will know if that standard has been met and how it will be verified and implemented by the Board.

§ 18.841(b)(2)

In response to the comments received by BOC and IRRC, the Board amends § 18.841(b)(2) to clarify educational requirements. Upon review of the comments received, the Board determined that the language the Board proposed related to certification requirements. For the sake of clarity and with the intent to track the act at section 13.5(a)(2)(iv) as it relates to the orthotic fitting education program, the Board amends § 18.841(b)(2), by deleting reference to "precertification education program whose credentialing is recognized by the ICE, accredited by the NCAA and approved by the Board." IRRC suggested that the amended language track the act; the Board agrees. Thus, this final-form rulemaking amends § 18.841(b)(2) to track section 13.5(a)(2)(iv) of the act, which requires successful completion of a Board-approved, entry-level education program specific to orthotic fitting care. The amendments in this final-form rulemaking allow the Board to continue to approve orthotic fitting education programs should new ones come before the Board while continuing to approve the existing ABC and BOC orthotic fitting education programs.

§ 18.841(d)

IRRC also suggested that the Board amend § 18.841(d) to clarify that an individual must fail the certification examination on at least three attempts before they can apply for a second permit after completing a second

approved precertification education program. The Board agrees with IRRC that amending § 18.841(d) to include "at least three times" adds clarity; therefore, the Board includes this phrase in this final-form rulemaking. For consistency, the Board also amends subsection (d) to delete the proposed language referring to ICE and NCCA to mirror the language used in subsection (b)(2).

§ 18.842(b)

IRRC's final comment requests clarity on the meaning of "all facets" of orthotic fitting care. Facets of orthotic fitting care include the full scope of practice of orthotic fitting. To help clarify this, this final-form rulemaking amends the language in § 18.842(b) to read "and shall include all facets of the practice of orthotic fitting as defined in § 18.802 (relating to definition of orthotic fitting)." Orthotic fitting is defined as "the fitting, dispensing, and adjusting of prefabricated orthotic devices pursuant to a written prescription of a licensed prescribing practitioner." This amendment clarifies the scope of orthotic fitting care using an already existing definition that can be easily found and relied upon by the regulated community.

§ 18.843(b)

To keep consistency among all sections of the regulations relating to orthotic fitters, the Board amends § 18.843(b) consistent with the amendments in § 18.841(b)(2) and (d)(2) and changes the language relating to the education program to read, "a board-approved, entry-level education program specific to orthotic fitting."

Fiscal Impact

The amendments allow individuals to apply for a second temporary orthotic fitter practice permit. The application fee for the permit will remain unchanged at \$25. This final-form rulemaking will not have any other fiscal impact on licenses. Because the application fee was set to cover the cost of processing the application, it will not have a fiscal impact on the Board. There is no fiscal impact to government generally. Applicants who choose to apply for a second permit will be required to file an application; therefore, additional paperwork will be required for those applicants.

Sunset Date

The Board continuously monitors its regulations; therefore, no sunset date has been assigned.

Regulatory Review

Under section 5(a) of the Regulatory Review Act, 71 P.S. § 745.5(a), on December 22, 2020, the Board submitted the notice of proposed rulemaking, published at 51 Pa.B. 180 (January 9, 2021), to IRRC and to the Chairpersons of the HPLC and the SCP/PLC. Publication was followed by a 30-day public comment period during which the Board received four public comments.

Under section 5(c) of the Regulatory Review Act, IRRC, the HPLC and the SCP/PLC were provided with copies of the comments received during the public comment period, as well as other documents when requested. In preparing the final-form rulemaking, the Board has considered all comments from IRRC and the public. The HPLC and the SCP/PLC did not submit comments.

Under section 5.1(a) of the Regulatory Review Act (71 P.S. § 745.5a(a)), on October 5, 2022, the Board

delivered this final-form rulemaking to IRRC, the HPLC and the SCP/PLC. Under section 5.1(g)(3) and (j.2) of the Regulatory Review Act (71 P.S. § 745.5a(g)(3) and (j.2)), on November 16, 2022, the final-form rulemaking was deemed approved by the HPLC and the SCP/PLC. Under section 5.1(e) of the Regulatory Review Act, IRRC met on November 17, 2022, and approved the final-form rulemaking.

Additional information

Additional information may be obtained by writing to Jasmira Hunter, Board Administrator, State Board of Medicine, P.O. Box 2649, Harrisburg, PA 17105-2649, ST-MEDICINE@pa.gov.

Findings

The State Board of Medicine finds that:

(1) Public notice was given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201 and 1202), referred to as the Commonwealth Documents Law, and the regulations promulgated thereunder 1 Pa. Code §§ 7.1 and 7.2 (relating to notice of proposed rulemaking required; and adoption of regulations).

(2) A public comment period was provided as required by law and all comments were considered in drafting this final-form rulemaking.

(3) The amendments to this final-form rulemaking do not enlarge the original purpose for the proposed regulation published at 51 Pa.B. 180.

(4) These amendments to the regulations of the State Board of Medicine are necessary and appropriate for the regulation of the practice of orthotic fitting in the Commonwealth.

Order

The Board, acting under its authorizing statute, orders that:

(A) The regulations of the State Board of Medicine, 49 Pa. Code Chapter 18, are amended by amending §§ 18.841, 18.842 and 18.843 to read as set forth in Annex A.

(B) The Board shall submit a copy of this final-form rulemaking to the Office of the Attorney General and the Office of General Counsel for approval as required by law.

(C) The Board shall submit this final-form rulemaking to IRRC, the HPLC and the SCP/PLC as required by law.

(D) The Board shall certify this final-form rulemaking and shall deposit it with the Legislative Reference Bureau as required by law.

(E) This final-form rulemaking shall take effect immediately upon publication in the *Pennsylvania Bulletin*.

MARK B. WOODLAND, MS, MD,
Chairperson

(Editor's Note: See 52 Pa.B. 7487 (December 3, 2022) for IRRC's approval order.)

Fiscal Note: Fiscal Note 16A-4947 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 18. STATE BOARD OF MEDICINE—PRACTITIONERS OTHER THAN MEDICAL DOCTORS

Subchapter L. PROSTHETISTS, ORTHOTISTS, PEDORTHISTS AND ORTHOTIC FITTERS

QUALIFICATIONS FOR LICENSURE AS AN ORTHOTIC FITTER

§ 18.841. Temporary practice permit.

(a) Prior to providing orthotic fitting care, an individual shall obtain a temporary practice permit authorizing the individual to practice orthotic fitting as an orthotic fitter trainee. An individual shall submit an application for a temporary practice permit on forms made available by the Board. The Board may grant a temporary practice permit to an individual who submits a completed application including the necessary supporting documents, pays the application fee in § 16.13(q) (relating to licensure, certification, examination and registration fees) and meets the qualifications in subsection (b).

(b) The Board may grant a temporary practice permit to an individual who:

(1) Is of good moral character.

(2) Has successfully completed an ABC-approved or BOC-approved orthotic fitter precertification education program or other Board-approved, entry-level education program specific to orthotic fitting. An applicant shall demonstrate completion of an ABC-approved or BOC-approved orthotic fitter precertification education program or other Board-approved, entry-level education program specific to orthotic fitting by having the educational institution submit, directly to the Board, verification of completion.

(c) The Board may deny an application for a temporary practice permit upon the grounds for disciplinary action in section 41 of the act (63 P.S. § 422.41), § 16.61 or § 18.853 (relating to unprofessional and immoral conduct) or other applicable law, such as 18 Pa.C.S. § 9124 (relating to use of records by licensing agencies).

(d) A temporary practice permit is valid for a maximum of 18 months. An individual who has failed the certification examination at least three times and whose temporary practice permit has expired may apply for a second temporary practice permit after retaking one of the following:

(1) ABC-approved or BOC-approved orthotic fitter precertification education program.

(2) A Board-approved, entry-level education program specific to orthotic fitting.

(e) The second temporary practice permit is valid for a maximum of 12 months. An individual may not receive a third or subsequent temporary practice permit.

(f) An individual holding a temporary practice permit may use the title "orthotic fitter trainee" and shall inform patients that the individual is completing a training program and is not fully licensed.

§ 18.842. Orthotic fitting care experience.

(a) An orthotic fitter trainee with a temporary practice permit shall practice only under the direct supervision of an orthotist or orthotic fitter licensed by the Board. For purposes of this section, “direct supervision” means the supervisor is available for consultation throughout the patient care process and is able to visually assess the care being provided. The supervisor shall review the results of care and the documentation of the services rendered by the orthotic fitter trainee and is responsible for countersigning within 15 days the entries in the patient’s clinical record.

(b) The orthotic fitting care experience shall be obtained subsequent to education and shall include all facets of the practice of orthotic fitting as defined in § 18.802 (relating to definitions).

§ 18.843. Orthotic fitter license.

(a) An applicant for a license to practice as an orthotic fitter shall submit, on forms made available by the Board, a completed application for licensure, including the neces-

sary supporting documents, and pay the application fee in § 16.13(q) (relating to licensure, certification, examination and registration fees).

(b) The Board may issue a license to practice as an orthotic fitter to an applicant who:

(1) Is of good moral character.

(2) Has successfully completed an ABC-approved or BOC-approved orthotic fitter precertification education program or other Board-approved, entry-level education program specific to orthotic fitting. Unless previously submitted under § 18.841 (relating to temporary practice permit), an applicant shall demonstrate completion of an ABC-approved or BOC-approved orthotic fitter precertification education program or other Board-approved, entry-level education program specific to orthotic fitting by having the educational institution submit, directly to the Board, verification of completion.

[Pa.B. Doc. No. 23-9. Filed for public inspection January 6, 2023, 9:00 a.m.]

STATEMENTS OF POLICY

Title 37—LAW

COMMISSION ON CRIME AND DELINQUENCY

[37 PA. CODE CH. 471]

Statement of Policy for the Administration of the First Chance Trust Fund

The Commission on Crime and Delinquency (Commission), under the authority of section 1751-A.1 of The Fiscal Code (72 P.S. § 1751-A.1), amends Chapter 471 (relating to First Chance Trust Fund—statement of policy) to read as set forth in Annex A.

Purpose

The act of October 30, 2017 (P.L. 725, No. 44) (Act 44) established the First Chance Trust Fund (Fund) as a restricted account in the General Fund. The Commission adopted Chapter 471 as a statement of policy to meet the requirements of Act 44.

Act 44 authorizes the Commission to allocate revenues from the Fund for the following purposes: 1) establishing and operating a scholarship program for students in those regions of this Commonwealth which have statistically higher high school dropout rates, incarceration rates or high crime rates as determined by the Commission; and 2) providing grants to programs that benefit children in those regions of this Commonwealth which have statistically higher high school dropout rates, incarceration rates or high crime rates as determined by the Commission.

Significant Provisions

This statement of policy was originally adopted by the Commission on December 13, 2017, to comply with the 60-day adoption requirement and minimum standards of Act 44. It was published at 48 Pa.B. 608 (January 27, 2018).

Persons and Entities Affected

This statement of policy is intended to provide at-risk youth with constructive opportunities and options. The Commission currently uses the *Risk and Protective Framework* in both the administration of the *Communities-That-Care* model and the *Pennsylvania Youth Survey* to guide prevention efforts aimed at reducing youth problem behaviors. Risk factors are characteristics of school, community and family environments, as well as characteristics of students and their peer groups that are known to predict increased likelihood of substance abuse, delinquency, school dropout, teen pregnancy, depression and anxiety, and violent behavior among youth. These conditions may make children or students more vulnerable to victimization and perpetration. Students and programs that benefit children in those regions of this Commonwealth which have statistically higher high school dropout rates, incarceration rates or high crime rates as determined by the Commission shall be eligible for participation in the grant and scholarship programs available through Act 44.

Fiscal Impact

This statement of policy will not have a fiscal impact on the Commonwealth or local government.

Sunset Date

A sunset date is not established for this statement of policy. This statement of policy will be reviewed on an annual basis by the Commission and updated as needed.

Effective Date

This statement of policy will be effective upon publication in the *Pennsylvania Bulletin*.

Contact Person

The contact person for technical questions related to this statement of policy is Michael Pennington, Executive Director, Commission on Crime and Delinquency, 3101 North Front Street, Harrisburg, PA 17110, (717) 265-8461.

Order

The Commission, acting under the authorizing statute, orders that:

(a) Title 37 of the *Pennsylvania Code* is amended by amending the statement of policy in §§ 471.101—471.104 to read as set forth in Annex A.

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

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

CHARLES H. RAMSEY,
Chairperson

Fiscal Note: 9-SOP-1. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 37. LAW

PART VI. COMMISSION ON CRIME AND DELINQUENCY

CHAPTER 471. FIRST CHANCE TRUST FUND—STATEMENT OF POLICY

§ 471.101. Purpose.

This chapter is adopted to administer the Fund.

§ 471.102. Definitions.

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

Child—An individual under 18 years of age who resides in this Commonwealth.

Department—The Department of Corrections of the Commonwealth.

Fund—The First Chance Trust Fund established under section 1753-A.1 of The Fiscal Code (72 P.S. § 1753-A.1).

Program—An evidence-based or outcome-based program for children who meet the eligibility requirements determined by the Commission aimed at reducing risk factors and producing positive outcomes, which may include mentoring, individual counseling and therapeutic services, and family-strengthening activities.

Scholarship program—A program which assists students in obtaining education or other vocational training that meets all of the following criteria:

(i) The student resides within this Commonwealth and attends an educational or vocational training institution located in this Commonwealth.

(ii) The student is 24 years of age or younger.

(iii) The student meets other eligibility requirements as determined by the Commission in accordance with section 1753-A.1 of The Fiscal Code.

§ 471.103. Risk factors.

The Commission is required under Subarticle F of Article XVII-A.1 of The Fiscal Code (72 P.S. §§ 1751-A.1—1755-A.1) to identify risk factors that lead to criminal behavior for children and students in regions of this Commonwealth which have statistically higher high school dropout rates, high incarceration rates or are in areas of high crime, which shall be used by the Commission in determining eligibility for allocation of funds. Research has identified risk factors that are known to predict increased likelihood of delinquency and violent behavior among youth. The Risk and Protective Framework, which is utilized to implement the Communities-That-Care model, and the Pennsylvania Youth Survey, identifies these risk factors as follows:

- *Community*
 - Low neighborhood attachment
 - Perceived availability of drugs (risk factor for violence only)
 - Perceived availability of handguns
 - Community laws and norms favorable toward drug use, firearms and crime
- *Family*
 - Family history of antisocial behavior
 - Poor family management
 - Family conflict
 - Parental attitudes favorable toward drugs and anti-social behavior
- *School*
 - Academic failure
 - Low commitment to school
- *Peer and Individual*
 - Rebelliousness
 - Gang involvement
 - Perceived risk of drug use
 - Attitudes favorable toward antisocial behavior and drug use
 - Friend's use of drugs
 - Interaction with antisocial peers

- Depressive symptoms

Source: Pennsylvania Youth Survey (PAYS) State Report 2021.

§ 471.104. Maintenance and use of the Fund.

(a) The Commission will allocate revenues from the Fund for the following purposes:

(1) Establishing and operating a scholarship program for students in those regions of this Commonwealth which have statistically higher high school dropout rates, incarceration rates or high crime rates as determined by the Commission.

(2) Providing grants to programs that benefit children in those regions of this Commonwealth which have statistically higher high school dropout rates, incarceration rates or high crime rates as determined by the Commission.

(b) Students and programs that benefit children in those regions of this Commonwealth which have statistically higher high school dropout rates, incarceration rates or high crime rates as determined by the Commission shall be eligible for participation in the grant and scholarship programs as provided for in this chapter. The Commission will utilize data provided by the Department of Education to determine regions of this Commonwealth having statistically higher high school dropout rates, data provided by the Department to determine regions of this Commonwealth having statistically higher incarceration rates and data provided by the Pennsylvania State Police to determine regions of this Commonwealth having statistically higher crime rates.

(c) Members of the Juvenile Justice and Delinquency Prevention Committee, the Victims Services Advisory Committee, the School Safety and Security Committee and the Commission shall establish the application process for the scholarship program and grants to programs. Recommendations to the Commission regarding scholarship and grant awards shall be made by this workgroup.

(d) Within 15 days of the last day of each month, the Commission and the Office of the Budget, in consultation with the State Treasurer, will compute the total amount of revenue from all sources received by the Commonwealth during the immediately preceding month which will be deposited into the Fund by the State Treasurer in accordance with this chapter. By December 1 of each year in which the balance of the Fund contains at least \$100,000, the Commission will announce the availability of grant or scholarship opportunities, or both.

[Pa.B. Doc. No. 23-10. Filed for public inspection January 6, 2023, 9:00 a.m.]

NOTICES

DEPARTMENT OF AGRICULTURE

Bureau of Ride and Measurement Standards

Order

This Order establishes a variance from the requirement that an owner or lessee of “hayride attractions” comply with specific provisions of the Amusement Ride Inspection Act (4 P.S. §§ 401—418) (“Act”) and its attendant regulations (7 Pa. Code Chapter 139).

Background

The Pennsylvania Department of Agriculture (“Department”) has lawful authority to issue a variance with respect to any rule, regulation or standard prescribed by the Act and its attendant regulations. This authority is imparted at Sections 4(4) and 9 of the Act (4 P.S. §§ 404(4) and 409) and referenced in the regulation at 7 Pa. Code § 139.12 (relating to variances).

A variance may be issued: 1) to prevent undue hardship; or 2) where existing conditions prevent practical compliance and the safety of the public can be reasonably assured.

ASTM International, the organization formerly known as the American Society for Testing and Materials, develops and publishes technical standards for a wide variety of industries with the goal of enhancing performance and safety. The Department adopts the standards developed by ASTM International’s committee on amusement rides and devices (“F24 Committee”) as its regulatory standards with respect to amusement rides and attractions that operate in this Commonwealth. On November 1, 2019, the F24 Committee published a new standard for hayrides, designated as F3168-19, Standard Practice for Hayride Attractions (“Practice F3168-19”).

The Department regulates amusement rides and attractions under strict safety standards for design, construction, maintenance, operation and inspection. Prior to the adoption of Practice F3168-19, there were no industry standards that recognized or addressed the safe operation of hayrides as an amusement ride or attraction. The F24 Committee developed the guidelines in Practice F3168-19 to provide a level of conformity to reduce potential hazards to patrons, attendants, actors and spectators. In addition, the standard was specifically designed to be inclusive of hayride attractions used primarily for entertainment, recreation and/or agritourism purposes.

Historically, hayride attractions have been difficult to vet through the Department’s existing registration and approval process because the wagon/trailer and the tow vehicle of a hayride are not designed or built with the specific intent to be used as an amusement ride. The nature of this type of ride—farm equipment being used as a hayride—creates an undue hardship on owners and operators with certain requirements of the Act and its attendant regulations. For example, the regulation at 7 Pa. Code § 139.4 (relating to registration) requires the owner of an amusement ride to provide the Department written verification under seal of a professional engineer that the ride conforms with the applicable design, load and safety requirements of the Act, its attendant regulations, and the ASTM International F24 Committee Standards. The Department recognizes that many of these regulatory requirements are not appropriate or applicable

to owners and operators that use farm equipment, e.g., a wagon/trailer and tow vehicle, for both agriculture purposes and as a hayride attraction.

The Chairman of the ASTM International Hayride Standard Committee has requested this variance on behalf of Pennsylvania hayride owners in accordance with the Act. It is the belief of this office that a limited variance is appropriate with respect to the approval, registration and inspection of hayride attractions, and that the variance will not adversely affect the health or safety of the public.

In summary, the variance will allow an owner to register a hayride attraction without providing written verification from a registered professional engineer that the hayride complies with the requirements of the Act and its attendant regulations. Hayride owners shall comply with all other requirements under 7 Pa. Code § 139.4 and the terms of this variance for registration and approval of the wagon/trailer and tow vehicle.

Variance

For purposes of this Order, the definitions set forth in the Act and its attendant regulations apply. In addition, the following defined terms apply:

Agritourism—the act of conducting an activity for the enjoyment of the public that is related in some way to agriculture.

Hayride Attraction—an experience in which passengers board a wagon or trailer, typically a wagon filled with straw or hay, and are taken on a journey for the purpose of giving its passengers amusement, pleasure, thrills or excitement. The term does not include:

1. A hayride attraction designed specifically for home use, devices or attractions commonly referred to as barrel trains, or animal or human drawn wagons or trailers; or
2. A tow vehicle pulling a wagon or trailer for the purpose of transporting passengers to and from locations for convenience, ease of access or for safety, such as transporting passengers from parking areas and transporting passengers over long or difficult terrain.

Tow Vehicle—a vehicle used to pull a wagon or trailer that is conveying patrons to, through or from an attraction or over a pathway or trail.

Hayride Attraction Owner/Operator—A person that:

1. Owns or operates a hayride attraction that uses a tow vehicle to pull a wagon or trailer as an element or in combination with another amusement ride or attraction, corn maze, zombie walk, paintball game, tree harvesting farm, seasonal attraction, haunted house, haunted attraction, fair, exposition or agritourism event;
2. Has submitted the hayride attraction for approval and registration in accordance with the regulation at 7 Pa. Code § 139.4 (relating to registration), except as otherwise provided in this variance;
3. Has inspected the hayride attraction prior to it being open to the public and again within 30 days of each period of continued use and has submitted an inspection affidavit to the Department in accordance with the requirements of the regulation at 7 Pa. Code § 139.8 (relating to inspection affidavits);
4. Has complied with the design, operation, maintenance, inspection and testing standards for hayride at-

tractions in accordance with Practice F3168-19 or any successor standard and the Department's hayride approval checklist form;

5. Has complied with all other requirements in the Act and the regulations at 7 Pa. Code Chapter 139 for owners, lessees and operators of amusement rides and attractions in this Commonwealth; and

6. Has otherwise complied with the terms of this variance.

A variance is hereby issued under authority of the Act. The limited terms of this variance are as follows:

1. Although a hayride attraction is an amusement attraction for the purposes of the Act and its attendant regulations, the owner of a hayride shall be exempt from the requirements specified in 7 Pa. Code § 139.4(d)(7)(ii). The effect of this provision is to remove the requirement to submit written verification from a professional engineer with respect to the registration of a hayride attraction.

2. Prior to operation, the owner of a hayride attraction shall obtain Department approval of the wagon/trailer and tow vehicle by verifying compliance with the design, operation, maintenance, inspection and testing standards in accordance with Practice F3168-19 or any successor standard and the Department's hayride approval checklist form (collectively the "hayride attraction submission"). Each approval will be granted on an annual basis and site specific.

3. The hayride attraction submission shall include the following:

i. a copy of the operator's manual for the submitted attraction that identifies the mechanical, hydraulic, electronic and electrical systems of the attraction, including how the attraction is powered;

ii. a copy of the owner's manual for the submitted attraction (if different than the operator's manual);

iii. a detailed inspection checklist outlining areas and frequency on how the attraction is to be inspected;

iv. photographs fully depicting the attraction, including an overall photo and a clear photo of the manufacturer's ID plate;

v. an owner's registration form;

vi. an amusement ride or attraction registration application form; and

vii. a hayride attraction approval checklist form.

4. The Department will provide the forms referenced in this variance upon request and make the forms available through the Department's website at www.agriculture.pa.gov.

5. A person or business registering a hayride attraction may email the submission to RA-amusementrides@pa.gov or send by mail to:

Pennsylvania Department of Agriculture
Bureau of Ride and Measurement Standards
2301 North Cameron Street
Harrisburg, PA 17110-9408

6. Except as otherwise provided in this variance, a person or business that owns, operates or leases a hayride attraction is required to comply with all registration, insurance and inspection requirements in the Act and its attendant regulations.

7. Inquiries regarding the registration and approval of hayride attractions may be directed to the Department's Bureau of Ride and Measurement Standards by email or phone at (717) 787-2291.

8. The Department will continuously monitor the efficacy of this variance and may revise or rescind this variance as it deems necessary.

9. This Order shall be effective immediately.

RUSSELL C. REDDING,
Secretary

[Pa.B. Doc. No. 23-11. Filed for public inspection January 6, 2023, 9:00 a.m.]

DEPARTMENT OF AGRICULTURE

Controlled Plant and Noxious Weed Committee Public Meeting

The Department of Agriculture (Department) announces a public meeting of the Controlled Plant and Noxious Weed Committee (Committee), established by 3 Pa.C.S. § 1511 (relating to designation of noxious weeds and controlled plants). The meeting will be held at 1 p.m. on January 19, 2023, by means of Microsoft Teams. The call in number is (267) 332-8737. The conference ID is 272237279#. The meeting ID is 238 412 003 080. The passcode is XrQvLw.

The purpose of the meeting is to consider the addition of six plants to the noxious weed list. One plant will be considered for movement from Class B to Class A. If time permits, these seven plants will be considered at this meeting:

- Amur honeysuckle (*Lonicera mackii*) Class B consideration
- Morrow's honeysuckle (*Lonicera morrowii*) Class B consideration
- Standish or fragrant honeysuckle (*Lonicera standishii*) Class B consideration
- Tatarian honeysuckle (*Lonicera tatarica*) Class B consideration
- Bell's honeysuckle (*Lonicera x bella*) Class B consideration
- Starry stonewort (*Nitellopsis obtusa*) Class A consideration
- Parrot feather (*Myriophyllum aquaticum*) Move from Class B to Class A

Public comment will be accepted either in person at the meeting or in writing prior to the meeting. Written comments may be sent to RA-plant@pa.gov or to the Department of Agriculture, Bureau of Plant Industry Noxious Weed Program, 2301 North Cameron Street, Harrisburg, PA 17110. Written comments must be received by January 18, 2023, to be considered. Written comments will become a part of the record, with the same force as if presented during the public meeting.

The meeting agenda related to this consideration is as follows: presentation of background information on plants for consideration; public comment period; Committee discussion; and Committee action on plants under consideration.

Individuals with questions regarding this meeting should contact the Department at (717) 787-4843.

RUSSELL C. REDDING,
Secretary

[Pa.B. Doc. No. 23-12. Filed for public inspection January 6, 2023, 9:00 a.m.]

DEPARTMENT OF AGRICULTURE

Pennsylvania Malt and Brewed Beverage Industry Promotion Board; Grant Solicitation and Application Procedures for Act 39 of 2016 Funding

1. *Introduction.* Under Act 39 of 2016, the Pennsylvania Malt and Brewed Beverage Industry Promotion Board (Board) annually, or more frequently as the availability of funds permits, solicits proposals for grants to conduct promotion, marketing and research projects to increase the quality, profitability, production and sale of malt and brewed beverages produced in this Commonwealth. The Board was established by section 446.1 of the Liquor Code (47 P.S. § 4-446.1). The Board makes recommendations for the awarding of grants by the Liquor Control Board (LCB) from funds provided through the Liquor Code (47 P.S. §§ 1-101—10-1001). This notice establishes the procedures by which grant applications will be solicited and reviewed, and grants awarded.

2. *Grant Solicitation.* The Board will be accepting grant applications for the purposes, in the form and according to the schedule set forth herein for not less than 30 days beginning on the date of publication of this notice in the *Pennsylvania Bulletin*. Additional publication and dissemination of this notice shall be made and may include direct dissemination to State universities and State-supported universities located in this Commonwealth, universities with colleges of agricultural science located in this Commonwealth and individuals or entities who have requested notification from the Department of Agriculture or the Board of grant availability. Private sector parties are encouraged to apply if their project will have a positive macro impact on the industry.

3. *Process Overview.* The Board will employ the review process described as follows to select projects and funding levels to recommend to the LCB for the making of a grant. In the event of a recommendation to the LCB to make and fund a grant, the decision as to whether to award a grant will be made by the LCB.

a. If the LCB approves the grant recommendation, the terms and conditions of the grant will be governed by a grant agreement between the LCB and the applicant, which shall be tendered to the applicant for execution by the LCB, returnable to the LCB in no more than 30 calendar days.

b. The LCB grant agreement follows hereto as Addendum 1 and incorporated by reference. This grant solicitation will be incorporated by reference into, and become part of, the LCB grant agreement that will govern all grants awarded under this grant solicitation. The terms are non-negotiable; therefore, applicants shall carefully review the LCB grant agreement to ensure that proposed projects are compliant with agreement requirements.

c. It is also recommended that applicants seek private counsel experienced in Pennsylvania liquor law to provide guidance as it pertains to the Liquor Code and the LCB's

regulations at 40 Pa. Code § 1.1—17.41 (relating to liquor), to ensure the legality and viability of grant projects and proposed activities.

4. *Concept Paper and Application Deadlines.*

a. *Concept Paper.* Interested applicants must deliver a one-page concept paper, plus a one-page budget, by e-mail, as a PDF file, by 4 p.m. on Friday, February 17, 2023 to RA-AGCommodities@pa.gov. The file should not exceed 5MB. The concept paper must identify timeframes for proposed grant activities in conformance with the timeframes identified in paragraph 9, Term of Grants, as well as Addendum 1.

b. *Application.* Applicants whose concept papers are preliminarily approved by the Board will be invited to submit a Project Proposal and Grant Application, in the form set forth in paragraph 6 of this notice, to the Board by 4 p.m. on Friday, June 9, 2023. Proposals should be sent electronically as a PDF file to RA-AGCommodities@pa.gov. The file should not exceed 5MB.

c. *Presentations.* Applicants must be prepared to provide a brief 3-minute presentation of their proposal to the Board, and answer questions, either in person or by conference call, at the Board's next scheduled meeting on Wednesday, July 12, 2023, at 9 a.m. The meeting will be held virtually by means of Microsoft Teams.

5. *Format of the Concept Paper.* Failure to follow this format could cause the applicant's proposal to be rejected. The concept paper shall include:

a. *Organization/Business Type.* List the applicant's full legal organization/business type.

b. *Organization/Business Information.* List the organization/business name along with the contact information and the amount of grant funds the entity is requesting. In the event of an LCB grant award, applicants will be required to have or obtain a PLCB Oracle Supplier Registration number using the name, full street address and tax identification number that matches the applicant information presented in the proposal/grant application.

c. *Project Coordinator/Qualifications.* Up to three pages not included in page limit. Identify the person who will be directing the proposed project and clearly state their qualifications including:

a. *Research projects*—Full and complete literature references to (up to) five key published journal articles directly related to proposed research/outreach.

b. *Marketing projects*—Sample images from (up to) three previous marketing campaigns along with a description of in-market implementation plan (including types of medium such as print, digital, display, tv/radio, out-of-home, and the like) and performance metrics to include both impressions and cost-per-conversion.

d. *Organization History.* Indicate whether the organization has previously received Malt and Brewed Beverage Industry Promotion Board or agriculture-related grant funds.

e. *Area of Focus.* Select a funding priority from paragraph 13 of this notice. For purposes of LCB grants, "Marketing" projects include advertising and promotions, educational/outreach projects, and technical support initiatives such as web site development, equipment or process development, while "Research" projects include agricultural and economic research and development efforts.

f. *Project Purpose.* In one or two paragraphs, clearly state the specific issue, problem, interest or need, and how the project will address it. Explain why the project is important and timely.

g. *Estimated Timeline.* State the estimated timeline for the proposed project. The timeline may not begin earlier than January 1, 2024, and may not extend beyond the term of the grant as set forth in more detail at paragraph 9.

h. *Expected Measurable Outcomes.* What are the goals and objectives of the project? How do the objectives support the goals? Goals are long-term broad visions and may take time to achieve. Objectives are significant steps that must be completed to achieve the goal. Objective statements should focus on the outcome, rather than the methods used. Each goal should have one or more objectives. Describe at least one distinct, quantifiable and measurable outcome that directly and meaningfully supports the project's purpose. Typically, outcomes are those measures that are quantifiable, measure direct benefit and are documented through data or information collection. In the case of research projects, it is important that this section is written for a non-technical audience.

i. *Preliminary Project Work Plan.* List the major tasks of the proposed project.

j. *Draft Budget.* State the budget for the proposed project using the categories from paragraph 6.g. If a project is selected to submit a proposal, more detailed budget information will be required

6. *Format of the Project Proposal and Grant Application.* Failure to follow this format could cause the proposal to be rejected. The project proposal and grant application cannot exceed 10 pages total for project and budget narratives, plus one additional page for the budget table and shall be formatted as follows:

a. A cover page, titled Pennsylvania Malt and Brewed Beverage Industry Promotion Board—Project Proposal and Grant Application, providing: the title of the proposed project; the full legal name and street address of the applicant; the name, address, telephone number and e-mail address of the applicant's principal contact person for matters relating to the application; the name, title, address, telephone number and e-mail address of the individual authorized to contractually bind the applicant to the grant agreement; and the total maximum grant amount sought for the proposed project or program.

b. Addendum, titled Demonstrated Qualifications, should be attached as a maximum 3-page addendum which does not count toward the page limit of the proposal.

i. *Research projects:*

1. Describe how widely previous research has been adopted by the industry in this Commonwealth or other states;

2. List any papers presented at meetings in the Commonwealth, other states, or countries;

3. Highlight any papers published in regional, National, or international peer reviewed journals; and

4. Show where credited financial support the research.

ii. *Marketing projects:*

1. List industry partners that are involved with marketing proposal that will provide Pennsylvania malt and brewed beverage industry insight.

2. Describe how the marketing plan is accountable to the Pennsylvania malt and brewed beverage industry.

3. Provide documented success of previous marketing campaigns that have conducted for other large-scale industries.

c. Section 1, titled Statement of Purpose, addressing: the purpose for which the grant funds would be utilized; how the project links, supports and benefits beer in this Commonwealth; methodology and evaluation, addressing: the type of project (promotion, marketing, outreach, research, tech transfer, and the like); a qualitative or quantitative estimate of economic impacts (direct, indirect, induced); and the sectors of the industry that will receive this benefit.

d. Section 2, titled Statement of Need, addressing: the need for the grant funds sought; any other partners or partner organizations that will be involved with the project; and any other funding or noncash resources that will be committed to the project and the sources thereof.

e. Section 3, titled Linkage to Funding Priorities, addressing: how the project will support one of the funding priorities established by the Board which are listed in paragraph 13; the geographic area of this Commonwealth where impact will occur; the intended impact created by the project and who will benefit.

f. Section 4, titled Evaluation and Reporting, shall identify expected measurable outcomes previously identified in the concept paper, and outcome measures and include a narrative describing data collection to inform the outcome measures. This section must be clear and unambiguous as it will inform expectations of progress and final reports.

g. Section 5, titled Budget, presenting a detailed budget for the proposed project or program, including any other matching funds and the value of any noncash resources that will be included in the project.

For all applications, each and every item of direct expense to be incurred in the project shall be separately set forth, including all purchases of consumable or non-consumable goods or equipment, listing the disposition of all nonconsumable goods or equipment upon completion of the project; all travel by dates, purpose, destination, mode of transportation and rate; a full breakdown of other costs, if any, and the method used to calculate those costs.

i. *Personnel*—Includes employed personnel. Those employed elsewhere should be listed as subcontractors or consultants in the Contractual cost category. Provide detail of all personnel by name devoted to the project, their professional qualifications, the amount of time calculated by hours and the tasks to be performed by each of the named personnel. In the case of graduate student participation, reasonable stipends will be allowed, and tuition will not be allowed.

ii. *Fringe Benefits*—For personnel of the grantee only, provide the rate of fringe benefits for each project participant's salary or wages. Identify the total for all funded fringe benefits.

iii. *Travel*—For personnel of the grantee only, calculate the costs for travel by considering destinations, number of trips, days traveling, transportation costs, estimated lodging and meal costs, and estimated mileage rate.

iv. *Supplies*—These are consumables procured for and used in furtherance of the projects and include such items as lab or field equipment.

v. *Contractual*—Those costs paid to other nonemployee individuals or entities to perform specific work or to provide specific services in accordance with the approved project. By way of example, this could include speaker fees, facility and equipment rental costs, software subscriptions, and costs for social media placement and data collection. If contractual work will be involved with carrying out the work of the project, identify the total contractual expenses. When determining the total cost for this category, include the fees for the professional services, contractor travel costs and any other related contractual expenses.

vi. *Other*—This category includes fees for conferences or meetings, membership dues, honorarium, scholarships, postage/shipping fees and publication costs.

vii. *Indirect Costs*—Grant awards may include an allowance for indirect costs of up to 10% of the total direct costs. Total direct costs are defined as the total of the above six budget categories (Personnel, Fringe Benefits, Travel, Supplies, Contractual, and Other) and are often referred to by grantee entities as Facilities and Administration or Overhead.

h. Section 6, titled Budget Narrative, providing details of how you arrived at the estimated expenses in your budget and describing how each expense will lead to the success of your project.

i. Section 7, titled Industry Support, addressing the extent of support, participation and funding from the Commonwealth's beer industry, including associations, organizations or agencies, or both, with an interest in the project outcome. Any letters or written confirmation of that support, participation or funding should be included in this section.

j. Due to limitations of Commonwealth equipment and considering that all LCB grant communications will be conducted electronically, applicants should not use color in any tables, graphs, charts or other material elements of the proposals. Black and white or gray-scale should be used in such elements to ensure ongoing document integrity.

7. *Scoring of Applications*. The Board will evaluate each complete and timely filed project proposal and grant application received in accordance with a 100-point scale as set forth in Addendum 2.

The purpose of the program is to advance the industry statewide. In the past, the Board has received project proposals which were designed to, or would have the primary effect of, benefiting only one individual entity or small group of entities, with only tangential, secondary benefits to the industry as a whole. Thus, any proposal containing a request to fund the purchase of equipment must clearly and accurately describe, in detail: (1) how the equipment is necessary to the proposed research or project being conducted; (2) why the proposed research equipment or project equipment must be funded by means of the program; (3) what the primary purpose of the equipment is; (4) how the applicant plans to use the equipment to benefit the industry as a whole, rather than just an individual entity or small group of entities; (5) the timeframe during which the equipment is expected to provide a benefit to the industry; and (6) plans for the disposition of the equipment at the conclusion of its use under the project. The Board reserves the right to downgrade or to refuse to recommend funding any application that does not meet these requirements. Industry-wide shared use will be prioritized over any individual profit. If any costs are charged for shared use, they will

be limited to expenses incurred in facilitating access to the equipment (for example, transportation, reasonable staff cost to operate equipment, and the like). To reiterate, the applicant should also demonstrate that the equipment will, in fact, benefit the industry as a whole rather than an individual entity.

8. *Evaluation, Recommendations and Awards*. The Board reserves the right to request modifications or clarifications, or both of project proposals and grant applications, including but not limited to additional detail of purpose, reduced or modified budgets, and the like. Upon completion of evaluations, the Board will prepare a record of each complete and timely-filed project proposal and grant application received, and the numerical score assigned to each. In the event of one or more recommendations to the LCB to make and fund a grant, the Board will transmit to the LCB the complete and final project proposal and grant application along with the score assigned by the Board and any other information deemed relevant by the Board or requested by the LCB. Request will be made by the Board that the LCB respond to all recommendations for grant approval within 30 days. The LCB's three-member board will vote on these recommendations at a public meeting, and the LCB will directly contact those applicants whose proposals were approved for funding. The LCB is responsible for notifying applicants whose projects were recommended by the Board for LCB funding, but which the LCB determined not to fund.

9. *Term of Grants*.

a. Grant Agreements will become effective on January 1, 2024, or the date of the last required Commonwealth approval, whichever is later (Effective Date). No reimbursements will be made by the LCB for any grant activity commencing prior to the Effective Date.

b. Research projects will have a term of 18 months. All other projects will have a term of 12 months.

c. A Notice to Proceed, Purchase Orders, fully executed agreements and invoicing instructions will be provided by LCB by means of e-mail.

d. Final invoices shall be submitted to the LCB within 60 days of contract end date as set forth in the Grant Agreement.

e. See Addendum 1 Grant Agreement for more details about the LCB's grant administration practices.

10. *Progress Reports*. Progress reports are to include the deliverables from paragraph 6.f. and be delivered by e-mail to RA-AGCommodities@pa.gov and RA-LBACT39GRANTS@pa.gov no later than October 1, and April 1, every year for the duration of the project, or as requested by the Board. Final reports should be submitted within 90 days of contract end date. Failure to meet these deadlines constitutes a breach of the grant agreement, will result in nonpayment of invoices, and could jeopardize future grant awards.

11. *Grant Agreement*. The LCB will provide applicants with a grant agreement for execution and return by the Grantee within 30 calendar days. LCB will obtain the required signatures on the grant agreements, including any other required Commonwealth entities, and return a copy to the applicant. No grant agreement is effective, and work should not begin until all required signatures have been applied to the grant agreement and a Notice to Proceed is issued. Among the terms of the grant agreement shall be a requirement that the grant recipient provide the Board and the LCB full and complete access

to all records relating to the performance of the project and submit information as the Board or the LCB, or both may require.

12. *Cost-Reimbursement Grant.* Payment of all grant funds will occur on a reimbursement basis only. In the case of graduate student participation, reasonable stipends will be allowed, and tuition will not be allowed.

13. *Funding Priorities.* In accordance with paragraph 5.e., the Board has identified the following funding priorities, listed in no particular order. The name given to each priority area is not intended to limit the intended scope and creative thought applied by applicants in developing projects that serve the purposes articulated in this notice.

a. *Agriculture:* Projects are sought that will lead to the expansion, through means including cultivation, value-added manufacturing and research, of beer industry-related raw material produced or grown, or both in this Commonwealth. Some examples of desired project scope include:

i. Research and development that will increase the production, quality or yield, or both, of Pennsylvania-produced raw agricultural commodities (hops, barley, and the like) used by the beer industry.

ii. Research that will identify growing conditions for hop production and evaluate each of the Commonwealth's 67 counties on the criteria.

iii. Outreach and support to encourage existing agricultural producers to consider hop production.

iv. Matching funds for small Commonwealth-based start-up businesses or ventures focused on agricultural related cultivation (hops and barley) or value-added manufacturing of beer related raw materials (malting).

b. *Tourism:* Projects are sought from organizations interested in marketing and integrating the Commonwealth's beer industry into new or existing regional and Statewide tourism initiatives, such as:

i. Development of beer tourism and beer trails (using and expanding upon the "Bourbon Trails" model).

ii. Regional integration of breweries and brewery visitation with existing attractions, destinations and the regional hospitality industry.

c. *Distributor Licensee Outreach:* Projects are sought that will assist "D" license holders in efforts to change existing business models and remain viable, competitive and profitable within the parameters of the Liquor Code, including providing consultation, training and business plan development to interested D licensees to assist them in transforming their business models. The proposer should illustrate the ability to:

i. Understand, interpret and transfer knowledge related to the current Liquor Code.

ii. Understand both the new opportunities as well as the threats presented to distributors as a result of 2016 changes to the Liquor Code.

iii. Have working knowledge of the beer industry trade and practices, the constraints on the industry, Standard Operating Procedures, financial models and the like.

iv. Identify and document best practices within the Commonwealth's beer industry (D license holders) regarding layout and design (shelf space, lighting, signage), hours of operation and staff models, promotions and displays, value added merchandise, and best practices in urban, suburban and rural markets.

v. In conjunction with existing industry stakeholders, like the Malt Beverage Distributors Association (MBDA), develop guidelines, standards and communicate best practices in a user-friendly format, as well as offer training and outreach conferences in appropriate locations throughout this Commonwealth.

vi. In conjunction with existing industry stakeholders like the MBDA, the project may include efforts to create special grants or business loans made available to retailers to implement new business models.

d. *Beer Industry Research:* The Board seeks research and the development of quantitative data on the beer industry in the Commonwealth, such as:

i. Research that will identify and map the size and impacts of the Commonwealth's macro beer industry (production, wholesale and retail) identifying direct, indirect, induced impacts.

ii. Research that will identify the upstream and downstream economic opportunities related to the Commonwealth's beer industry.

iii. Research that can measure the economic impacts on the Commonwealth's beer industry of 2016 changes to the Liquor Code.

iv. Research that will offer guidance on public policy and best practices to benefit the beer industry in the Commonwealth and improve regulatory efficiency.

e. *Technical Assistance, Support and Research and Development:* Projects are sought that will advance best practices, technology transfer, research and development, workforce development and training in the Commonwealth's brewing industry. The Board is interested in funding projects that will: increase beer knowledge/science; advance best practices in brewing; provide education/training opportunities related to beer production, quality, packaging, marketing and sales; and promote innovation in the brewing and manufacturing processes. Examples could include:

i. Engagement of consultants, speakers and subject matter experts for industry related training, presentations or problem solving in conjunction with conferences, technical work groups and association members.

ii. Research and development projects on relevant topics concerning brewing and manufacturing processes.

iii. Customized training/education in areas related to: differing levels of brewery, wholesale and retail management; sales and marketing; brewery—wholesaler relationships; beer market best practices; and industry recognized certifications.

f. *Innovation:* The Board will consider projects that do not fall into any of the other funding priorities but nevertheless offer unique approaches to supporting and promoting Pennsylvania beer. The Board believes that innovation is the driving force behind the growth and success of the Commonwealth's beer industry. This category of funding is designed for projects and initiatives that demonstrate new thinking, ideas and approaches to promoting Pennsylvania beer—and do not fit into any other category.

RUSSELL C. REDDING,
Secretary

Addendum 1
LCB GRANT AGREEMENT
PENNSYLVANIA LIQUOR CONTROL BOARD
GRANT AGREEMENT PURSUANT TO
47 P.S. § 4-446.1

This Grant Agreement is entered into by and between the Pennsylvania Liquor Control Board, 312 Northwest Office Building, Harrisburg PA 17124 (hereinafter referred to as “PLCB” or “Grantor”), and _____, (hereinafter referred to as “Grantee”) (collectively, “the Parties”).

I. RECITALS

1. Pursuant to section 446.1 of the Pennsylvania Liquor Code, 47 P.S. § 4-446.1, the PLCB shall allocate the amount of \$1,000,000 annually to be used to award grants to entities for the purpose of increasing the production of Pennsylvania-made malt and brewed beverages and enhancing the Pennsylvania malt and brewed beverages industry through promotion, marketing and research-based programs and projects.

2. The Pennsylvania Malt and Brewed Beverages Industry Promotion Board (“Beer Board”) was established by the Pennsylvania Liquor Code and is statutorily charged with establishing procedures by which an entity may submit an application for grant funding pursuant to 47 P.S. § 4-446.1; reviewing all such grant applications; and making recommendations to the PLCB for the awarding of the grants.

The Beer Board is further statutorily charged with requiring grant recipients to provide full and complete access to all records relating to the performance of the grant; conducting a thorough annual evaluation of each program for which a grant is made; and submitting an annual report to the General Assembly detailing all actions of the Beer Board and the grants awarded pursuant to section 446.1 of the Liquor Code.

3. The PLCB has made the aforementioned allocation; the Beer Board has established the requisite procedures and process; the Beer Board has issued a competitive grant solicitation as posted on [Date] at [__ PaB. __] (the “RFP”), incorporated by reference herein, and the Grantee has applied for a grant pursuant thereto; the Beer Board has recommended to the PLCB to make a grant to the Grantee as detailed in Appendix G, attached and incorporated by reference; and the PLCB has approved the award of the grant (“the Grant”).

II. AGREEMENT

In consideration of the foregoing recitals, which are incorporated herein, and the mutual promises contained in this Grant Agreement, the Parties, intending to be legally bound, agree as follows:

1. SCOPE.

a. This Grant is for funding the Project Proposal and Grant Application (“the Project”) summarily described as follows and in more detail in the documents attached hereto and incorporated herein as Attachment G. _____

b. No increases to the funding amount or changes to the approved overall scope of work will be permitted under any circumstance; however, minor revisions to the Project timeline, methodology and/or budget(s) contained in Attachment G may be approved by the PLCB at its sole discretion upon review of Grantee’s written request and justification for same. Similarly, at the PLCB’s sole

discretion and in consideration of exigent circumstances, the PLCB may authorize changes to specific elements of an approved scope of work. The PLCB will reject any such requested revisions that are retroactive in nature; therefore, Grantee must carefully manage its project and communicate with the PLCB in a timely manner via the PLCB’s resource email account.

By way of example only, if certain approved grant elements cannot be performed due to governmental restrictions related to a pandemic (e.g., in-person event), then Grantee may propose modifications to those elements (e.g., shift to virtual event), limited to what is reasonably necessary to achieve the approved project objectives and deliverables and within the original approved budget. Grantee shall submit all such requests via email to the PLCB’s resource account at RA-LBAct39Grants@pa.gov (“the Resource Account”), and the PLCB will respond to the request via the same Resource Account within ten calendar days of its receipt of the request.

2. OPERATIONAL REQUIREMENTS

a. All communications between the Grantee and the PLCB, including but not limited to questions, notifications, requests, and invoice submissions, shall be conducted via email to and from the PLCB’s aforementioned Resource Account. Grantee expressly accepts this method of electronic communication and is responsible to timely provide notice to the PLCB via the Resource Account if there are any changes or additions to the Grantee’s contact information. The PLCB will utilize best efforts to respond to all inquiries from Grantee within five business days of receipt of an email, except as otherwise provided herein.

b. In order to be issued an approved Purchase Order and to receive Grant funds, Grantee must have a valid PLCB Supplier number.

3. EFFECTIVE DATE AND TERM

a. This Grant Agreement shall become effective on January 1, 2024 or on the date of the last required Commonwealth signature, whichever is later (the “Effective Date”). The Term of the Grant shall be up to twelve months from the Effective Date for marketing, educational and/or promotions-related projects and up to eighteen months from the Effective Date for research projects. The Effective Date and the Term will be set forth with specificity on the Notice to Proceed letter and the PLCB Purchase Order, which will be sent to Grantee via the Resource Account with the fully executed Grant Agreement. The Grant Activity Period (defined as the period of performance for which Grantee can be reimbursed for activity performed in furtherance of the project as set forth in the approved grant proposal’s timeline) may be shorter than the Term of the Grant Agreement, but in no event may the Grant Activity Period exceed the Term of the Grant.

b. No later than sixty days prior to the expiration of the Grant Activity Period, Grantee may electronically submit a request to the PLCB via the Resource Account to extend the Grant Activity Period in order to complete the Project without increasing the Grant funding. At its sole discretion and by issuance of a written notice to extend by the PLCB, the PLCB may extend the Grant Activity Period for no more than ninety days. This written notice of an approved extension will be emailed to the Grantee via the Resource Account within ten calendar days of the PLCB’s receipt of a compliant request. To be clear, in circumstances where the Term of the Grant

Agreement is the same span of time as the Grant Activity Period, such an extension of the Grant Activity Period will also constitute extension of the Term of the Grant Agreement.

4. REIMBURSEMENT. The PLCB agrees to reimburse Grantee in the amount not to exceed \$ _____ for approved expenses incurred in accordance with the terms of this Grant Agreement. Payments hereunder may be made electronically through the Pennsylvania Electronic Payment Program, details of which are set forth and incorporated herein as Attachment A hereto. Under no circumstances will the PLCB reimburse the Grantee for any expenses incurred before the Effective Date or after the expiration of the Term of the Grant.

5. CONTRIBUTION. The Grantee agrees to contribute and/or secure any additional necessary funds required to complete the Project, if any, in accordance with the terms of Attachment G.

6. PERMITTED EXPENDITURE.

a. Reimbursement funds provided by the PLCB shall be used for only those expenses outlined in this Grant Agreement, including its Attachments. The Grantee shall not purchase equipment of any type or kind under the terms of this Grant Agreement unless mandated by the nature of the work and explicitly approved by the PLCB in this Grant Agreement.

b. The Grantee expressly warrants that it shall request reimbursement of expenses solely allowable by the Grant Agreement. Should the PLCB determine that the Grantee is not using Grant funds exclusively in conformance with the Grant Agreement, the PLCB shall have the absolute right, in addition to any other rights provided herein or by law, to terminate this Grant Agreement and to demand the repayment/return of Grant funds. Failure of Grantee to repay/return such funds within ten business days of the PLCB's written demand, sent electronically via the Resource Account, will result in referral of the matter to the Office of the Attorney General.

7. INVOICING, RECORDS, REPORTS.

a. All payments of Grant funds hereunder shall be made on a reimbursement basis only and as set forth in the PLCB Budget Worksheet that will be provided with the Grant Agreement execution package. The PLCB Budget Worksheet is based entirely on the Grantee's approved budget as set forth in Attachment G; however, in the event that the Grantee's budget proposal does not comport with the RFP's budget categories, the PLCB reserves the right to substitute the PLCB Budget Worksheet as Attachment H to the Grant Agreement. In such a case, the PLCB Budget Worksheet Attachment H shall supersede the Grantee's Project Proposal Attachment G for purposes of grant administration and reimbursement invoicing.

b. Grantee must electronically submit detailed reimbursement invoices to the Resource Account. The invoices must clearly indicate the PLCB Purchase Order number, the payee for each item, the total paid to that payee for each budget line item type for approved grant activities for the quarterly invoice period, a brief description of the expense item, and the date such payment was issued. The PLCB expects that Grantee will include reasonable supporting documentation of these expenses as every reimbursement invoice is compared to the approved grant agreement package, which includes the final proposal documents, to ensure that the expenses were within the approved project scope, timeline and budget.

c. The following parameters will be applied to all reimbursement requests to ensure compliance with the letter and the spirit of the RFP and its budget categories:

i. Personnel costs are those wage or salary payments made to named employees of the Grantee for the relevant time period. When seeking reimbursement, Grantee must set forth "who did what, when, for how much, and when was that expense paid." Grantee must also provide documentation to support those elements, which may include use of corporate/entity payroll records containing appropriate details. Personnel costs are "direct costs."

ii. Fringe benefits are similarly those sums attributable to named employees of the grantee for the subject time period. These line items should track with Personnel costs as described above. By way of example only, if the PLCB Budget Worksheet has Personnel line items for Employee A, B and C, and also has Fringe Benefit line items, the reimbursement invoice should indicate the wages and fringe benefits for each of the named employees who performed work on the project during the quarter, in the appropriate budget categories. Use of the PLCB Budget Worksheet will help grantees to ensure that appropriate information is provided. Fringe benefits are "direct costs."

iii. Travel expenses as noted in the PLCB Budget Worksheet may be reimbursed at actual documented cost for named employees of the Grantee for lodging and for transportation that involves vehicle rental or train/airplane expense; at the 2023 IRS mileage rate for vehicle mileage; and for meals that are reasonably incurred in the performance of the approved project. That said,

Grantees should note that, when determining reimbursement eligibility of travel expenses, the PLCB will consider the federal government's General Services Administration's maximum allowable per diem rate by region for meals, incidentals and lodging. All reimbursement requests for travel expenses must include specific details of "who went where, how (travel mode), when, for what purpose, at what cost, and when/how that cost was paid." Please note that, in accordance with Commonwealth policy, the PLCB will not reimburse any travel expenses incurred for the purchase of alcoholic beverages. Supporting documentation is required for all expense items. Travel expenses are "direct costs."

iv. Supplies expenses should be documented to detail "who (vendor/supplier name) provided what (specific goods), when, at what cost, and when was that vendor/supplier paid." Supporting documentation should include detailed vendor/supplier invoices and documentation of grantee's payment of those invoices. Supplies expenses are "direct costs."

v. Contractual expenses are those costs paid to other non-employee individuals or entities to perform specific work in accordance with the approved project. When seeking reimbursement, expenses should be documented to detail "who (name of individual, contractor or supplier) did what, when, for how much, and when was that expense paid." These expenses may only be for goods or services supplied during the Grant Activity Period. By way of example only, if the PLCB Budget Worksheet notes a software subscription is an approved "Contractual" expense, the PLCB will only reimburse that portion of the software subscription cost that covers the Grant Activity Period. Detailed provider invoices should be submitted, along with documentation of Grantee's payment of those invoices. Contractual expenses are "direct costs."

vi. Other expenses are those set forth in detail on the PLCB Budget Worksheet and may include expenses such as conference fees, publication costs, honoraria, scholarships and postage/shipping expenses. When seeking reimbursement, expenses should be documented to detail “who (name of individual, contractor or supplier) provided what, when, for how much, and when was that expense paid.” Publication costs are only reimbursable if the expense is incurred and the publication is contracted during the Grant Activity Period, although it is understood that actual publication of scholarly articles may occur after the expiration of the Term of the Grant Agreement. These “Other” expenses are “direct costs.”

vii. Indirect costs are defined as a percentage of the total of all direct costs incurred and are intended to compensate for supportive expenses of the Grantee. Indirect costs are often referred to as “Facilities and Administration” or “Overhead” and are capped at 10% for these grants. When seeking reimbursement, grantees may submit a flat rate cost element on the reimbursement invoice/PLCB Budget Worksheet, noting the time period covered. Supporting documentation is not required. By way of example, if total direct costs for a given quarter equal \$4,000 and Grantee has an approved budget category of 10% indirect costs, the reimbursement invoice may seek payment of the \$4,000 in total direct costs plus an additional \$400 as indirect costs, for a total quarterly reimbursement request of \$4,400.

d. These invoices are to be submitted within thirty days of the end of each quarter during the Grant Activity Period for work performed and expenses paid during that quarter. If there was no work performed or expenses paid during a given quarter of the Grant Activity Period, Grantee is to communicate that fact via email to the Resource Account within thirty days of the end of that quarter. The PLCB shall reject any invoices received more than sixty days following the end of the Grant Activity Period and Grantee shall have no claim against the PLCB or the Commonwealth for same.

e. In the event that a reimbursement invoice as submitted does not permit the PLCB to adequately discern the appropriateness of the reimbursement request, then the Grantee will receive a request via the Resource Account for additional supporting documentation to substantiate the invoice submitted and the funds expended. Grantee will have ten calendar days to respond to the Resource Account.

f. Grantee is required to file timely progress reports to the Beer Board at RA-AGCommodities@pa.gov, including but not limited to a final report. Grantee should copy the PLCB’s Resource Account at RA-LBAct39Grants@pa.gov when submitting progress reports to the Beer Board. The PLCB reserves the right to withhold payment otherwise due under the terms of this Grant Agreement for Grantee’s failure to submit reports to the Beer Board, until the Beer Board advises the PLCB that such reports have been submitted. The Grantee is responsible for ensuring that its required reports are timely submitted directly to the Beer Board and acknowledges that the PLCB has no involvement in the Beer Board’s statutory reporting requirements.

g. Records of all expenditures shall be maintained for a period of two years after expiration of the term of this Grant Agreement and shall be subject to audit by the PLCB and legally authorized officials of the Commonwealth of Pennsylvania. The Grantee shall provide the PLCB and the Commonwealth full and complete access to all records relating to the performance of any and all

work hereunder and shall submit truthful and accurate information about the work performed hereunder if, and as, requested by the PLCB and/or the Commonwealth.

8. HOLD HARMLESS. The Grantee shall indemnify, hold harmless and defend the PLCB and the Commonwealth of Pennsylvania and their officers, employees and agents from and against any and all suits and judgments for damages for personal injury, death or damage to real or tangible personal property arising out of or in conjunction with the performance by the Grantee under this Grant Agreement and caused by the Grantee’s negligence or intentional wrongful acts. This paragraph does not apply when the Grantee is a Commonwealth Agency, including but not limited to state-affiliated entities or state-related institutions.

9. ADDITIONAL COMPLIANCE REQUIREMENTS

a. The following additional compliance requirements are attached and incorporated into this Grant Agreement and made a part hereof. The Grantee shall comply with, and be bound by, the provisions set forth in these attachments:

i. Attachment A—Pennsylvania Electronic Payment Program

ii. Attachment B—Nondiscrimination/Sexual Harassment Clause, with respect to which the Grantee is the “Contractor.”

iii. Attachment C—Contractor Integrity Provisions, with respect to which the Grantee is the “Contractor.”

iv. Attachment D—The Americans With Disabilities Act provisions, with respect to which the Grantee is the “Contractor.”

v. Attachment E—Right-to-Know Provisions, with respect to which the Grantee is the “Contractor.”

vi. Attachment F—Contractor Responsibility Provisions, with respect to which the Grantee is the “Contractor.”

vii. Attachment G—Project Proposal and Grant Application.

b. The Grantee shall comply with all the terms, conditions and requirements set forth in the competitive grant solicitation (“RFP”) posted on [Date] at [___ PaB. ___], which is incorporated by reference into this Grant Agreement as if fully set forth herein.

c. The Grantee agrees that in the performance of its obligations under this Grant Agreement it will comply with all applicable, federal, state and local laws and regulations. The Grantee expressly warrants that, as it relates to the performance of the Project that is the subject of this Grant Agreement, it shall at all times comply with the Pennsylvania Liquor Code, 47 P.S. § 1-101 et seq., and the PLCB’s Regulations, 40 Pa. Code § 1.1 et seq.

d. Any forbearance by the PLCB in exercising any right or remedy hereunder or as otherwise afforded by applicable law shall not be a waiver of or preclude the exercise of any such right or remedy at any appropriate time.

e. The Grantee shall, in the performance of this Grant Agreement, act in an independent capacity and not as an officer, employee or agent of the PLCB or of the Commonwealth of Pennsylvania.

10. STATE TAX LIABILITY. The Grantee agrees that the Commonwealth of Pennsylvania may set-off the amount of any state tax liability or other debt of the Grantee or its subsidiaries, that is owed to the Commonwealth and not being contested on appeal, against any payments due the Grantee under this Grant Agreement.

11. TERMINATION AND ASSIGNMENT. If through any cause, the Grantee shall fail to fulfill in a timely and proper manner its obligations under this Grant Agreement, or in the event of violation of any of the covenants contained in this Grant Agreement, the PLCB thereupon has the right to terminate this Grant Agreement by giving thirty days written notice to the Grantee specifying the effective date of termination. If this Grant Agreement is so terminated, the Grantee shall be reimbursed for all expenses properly incurred under the terms of this Grant Agreement prior to receipt of notice, so long as Grantee properly submits valid invoices with supporting documentation within sixty days of the notice of termination. Failure by Grantee to timely submit final invoicing shall be considered a forfeiture of any claims to Grant funding. The Grantee shall not assign any interest to this Contract, nor shall any interest be transferred by novation or assignment without prior written consent of PLCB.

12. SEVERABILITY. The terms and provisions of this Grant Agreement are severable. In the event of the unenforceability or invalidity of any one or more of the terms, covenants, conditions or provisions of this Grant Agreement under federal, state or other applicable laws, such unenforceability or invalidity shall not render any other term, covenant, condition or provision hereof unenforceable or invalid.

13. ENTIRE AGREEMENT. This Grant Agreement constitutes the entire agreement between the parties. No amendment or modification hereof shall have any force or effect unless it is in writing and signed by all parties.

14. CONTINGENCY. The PLCB's obligation to make payments shall be subject to the availability and appropriation of funds.

15. APPLICABLE LAW. This Grant Agreement shall be governed by and interpreted and enforced in accordance with the laws of the Commonwealth of Pennsylvania (without regard to any conflict of laws provisions) and the decisions of the Pennsylvania courts. The Grantee consents to the jurisdiction of any court of the Commonwealth of Pennsylvania and any federal courts in Pennsylvania, waiving any claim or defense that such forum is not convenient or proper. The Grantee agrees that any such court shall have in personam jurisdiction over it, and consents to service of process in any manner authorized by Pennsylvania law.

16. HEADINGS. All headings of the sections and subsections of this Agreement are inserted for convenience only and shall not affect any construction or interpretation of this Agreement.

IN WITNESS WHEREOF, the Parties hereto, with the intention of being legally bound hereby and each signatory having the requisite legal authority to bind its respective entity, have caused this Grant Agreement to be duly executed. If the signature below is submitted electronically or digitally, the signatory hereby expressly acknowledges and avers that he or she is the named individual and that he or she intends to sign this Grant Agreement document electronically or digitally.

[GRANTEE]

NAME:

Title:

PENNSYLVANIA LIQUOR CONTROL BOARD

Michael Demko, Executive Director

APPROVED AS TO FORM AND LEGALITY:

Rodrigo J. Diaz, PLCB CHIEF COUNSEL

OFFICE OF THE ATTORNEY GENERAL

DATE

APPROVED:

COMPTROLLER

Attachment A

PENNSYLVANIA ELECTRONIC PAYMENT PROGRAM

a. The commonwealth may make contract payments through ACH, upon your election. If you so elect, within 10 days of the Grant award, the recipient must submit or must have already submitted its ACH and electronic addenda information, if desired, to the commonwealth's Payable Service Center, Vendor Data Management Unit at 717-214-0140 (FAX) or by mail to the Office of Comptroller Operations, Bureau of Payable Services, Payable Service Center, Vendor Data Management Unit, 555 Walnut Street—9th Floor, Harrisburg, PA 17101. Electronic PEPP enrollment form is available at www.vendorregistration.state.pa.us/cvmu/paper/Forms/ACH-EFTenrollment form.pdf

b. The recipient must submit a unique invoice number with each invoice submitted. The unique invoice number will be listed on the Commonwealth of Pennsylvania's ACH remittance advice to enable the recipient to properly apply the state agency's payment to the respective invoice or program.

c. It is the responsibility of the recipient to ensure that the ACH information contained in the commonwealth's central vendor master file is accurate and complete. Failure to maintain accurate and complete information may result in delays in payments.

Attachment B

NONDISCRIMINATION/SEXUAL HARASSMENT CLAUSE (Grants)

The Grantee agrees:

1. In the hiring of any employee(s) for the manufacture of supplies, performance of work, or any other activity required under the Grant Agreement or any subgrant agreement, contract, or subcontract, the Grantee, a subgrantee, a contractor, a subcontractor, or any person acting on behalf of the Grantee shall not discriminate by reason of race, gender, creed, color, sexual orientation, gender identity or expression, or in violation of the Pennsylvania Human Relations Act (PHRA) and applicable federal laws, against any citizen of this Commonwealth who is qualified and available to perform the work to which the employment relates.

2. The Grantee, any subgrantee, contractor or any subcontractor or any person on their behalf shall not in any manner discriminate by reason of race, gender, creed,

color, sexual orientation, gender identity or expression, or in violation of the PHRA and applicable federal laws, against or intimidate any of its employees.

3. Neither the Grantee nor any subgrantee nor any contractor nor any subcontractor nor any person on their behalf shall in any manner discriminate by reason of race, gender, creed, color, sexual orientation, gender identity or expression, or in violation of the PHRA and applicable federal laws, in the provision of services under the Grant agreement, subgrant agreement, contract or subcontract.

4. Neither the Grantee nor any subgrantee nor any contractor nor any subcontractor nor any person on their behalf shall in any manner discriminate against employees by reason of participation in or decision to refrain from participating in labor activities protected under the Public Employee Relations Act, Pennsylvania Labor Relations Act or National Labor Relations Act, as applicable and to the extent determined by entities charged with such Acts' enforcement, and shall comply with any provision of law establishing organizations as employees' exclusive representatives.

5. The Grantee, any subgrantee, contractor or any subcontractor shall establish and maintain a written nondiscrimination and sexual harassment policy and shall inform their employees in writing of the policy. The policy must contain a provision that sexual harassment will not be tolerated and employees who practice it will be disciplined. Posting this Nondiscrimination/Sexual Harassment Clause conspicuously in easily accessible and well-lighted places customarily frequented by employees and at or near where the Grant services are performed shall satisfy this requirement for employees with an established work site.

6. The Grantee, any subgrantee, contractor or any subcontractor shall not discriminate by reason of race, gender, creed, color, sexual orientation, gender identity or expression, or in violation of the PHRA and applicable federal laws, against any subgrantee, contractor, subcontractor or supplier who is qualified to perform the work to which the Grant relates.

7. The Grantee and each subgrantee, contractor and subcontractor represents that it is presently in compliance with and will maintain compliance with all applicable federal, state, and local laws and regulations relating to nondiscrimination and sexual harassment. The Grantee and each subgrantee, contractor and subcontractor further represents that it has filed a Standard Form 100 Employer Information Report ("EEO-1") with the U.S. Equal Employment Opportunity Commission ("EEOC") and shall file an annual EEO-1 report with the EEOC as required for employers' subject to Title VII of the Civil Rights Act of 1964, as amended, that have 100 or more employees and employers that have federal government contracts or first-tier subcontracts and have 50 or more employees. The Grantee, any subgrantee, any contractor or any subcontractor shall, upon request and within the time periods requested by the Commonwealth, furnish all necessary employment documents and records, including EEO-1 reports, and permit access to their books, records, and accounts by the granting agency and the Bureau of Diversity, Inclusion and Small Business Opportunities for the purpose of ascertaining compliance with the provisions of this Nondiscrimination/Sexual Harassment Clause.

8. The Grantee, any subgrantee, contractor or any subcontractor shall include the provisions of this

Nondiscrimination/Sexual Harassment Clause in every subgrant agreement, contract or subcontract so that those provisions applicable to subgrantees, contractors or subcontractors will be binding upon each subgrantee, contractor or subcontractor.

9. The Granter's and each subgrantee's, contractor's and subcontractor's obligations pursuant to these provisions are ongoing from and after the effective date of the Grant agreement through the termination date thereof. Accordingly, the Grantee and each subgrantee, contractor and subcontractor shall have an obligation to inform the Commonwealth if, at any time during the term of the Grant agreement, it becomes aware of any actions or occurrences that would result in violation of these provisions.

10. The Commonwealth may cancel or terminate the Grant agreement and all money due or to become due under the Grant agreement may be forfeited for a violation of the terms and conditions of this Nondiscrimination/Sexual Harassment Clause. In addition, the granting agency may proceed with debarment or suspension and may place the Grantee, subgrantee, contractor, or subcontractor in the Contractor Responsibility File.

Attachment C

CONTRACTOR INTEGRITY PROVISIONS

It is essential that those who seek to contract with the Commonwealth of Pennsylvania ("Commonwealth") observe high standards of honesty and integrity. They must conduct themselves in a manner that fosters public confidence in the integrity of the Commonwealth contracting and procurement process.

1. **DEFINITIONS.** For purposes of these Contractor Integrity Provisions, the following terms shall have the meanings found in this Section:

a. "Affiliate" means two or more entities where (a) a parent entity owns more than fifty percent of the voting stock of each of the entities; or (b) a common shareholder or group of shareholders owns more than fifty percent of the voting stock of each of the entities; or (c) the entities have a common proprietor or general partner.

b. "Consent" means written permission signed by a duly authorized officer or employee of the Commonwealth, provided that where the material facts have been disclosed, in writing, by prequalification, bid, proposal, or contractual terms, the Commonwealth shall be deemed to have consented by virtue of the execution of this contract.

c. "Contractor" means the individual or entity, that has entered into this contract with the Commonwealth.

d. "Contractor Related Parties" means any affiliates of the Contractor and the Contractor's executive officers, Pennsylvania officers and directors, or owners of 5 percent or more interest in the Contractor.

e. "Financial Interest" means either:

(1) Ownership of more than a five percent interest in any business; or

(2) Holding a position as an officer, director, trustee, partner, employee, or holding any position of management.

f. "Gratuity" means tendering, giving, or providing anything of more than nominal monetary value including, but not limited to, cash, travel, entertainment, gifts, meals, lodging, loans, subscriptions, advances, deposits of money, services, employment, or contracts of any kind.

The exceptions set forth in the Governor's Code of Conduct, Executive Order 1980-18, the 4 Pa. Code § 7.153(b), shall apply.

g. "Non-bid Basis" means a contract awarded or executed by the Commonwealth with Contractor without seeking bids or proposals from any other potential bidder or offeror.

2. In furtherance of this policy, Contractor agrees to the following:

a. Contractor shall maintain the highest standards of honesty and integrity during the performance of this contract and shall take no action in violation of state or federal laws or regulations or any other applicable laws or regulations, or other requirements applicable to Contractor or that govern contracting or procurement with the Commonwealth.

b. Contractor shall establish and implement a written business integrity policy, which includes, at a minimum, the requirements of these provisions as they relate to the Contractor activity with the Commonwealth and Commonwealth employees and which is made known to all Contractor employees. Posting these Contractor Integrity Provisions conspicuously in easily accessible and well-lit places customarily frequented by employees and at or near where the contract services are performed shall satisfy this requirement.

c. Contractor, its affiliates, agents, employees and anyone in privity with Contractor shall not accept, agree to give, offer, confer, or agree to confer or promise to confer, directly or indirectly, any gratuity or pecuniary benefit to any person, or to influence or attempt to influence any person in violation of any federal or state law, regulation, executive order of the Governor of Pennsylvania, statement of policy, management directive or any other published standard of the Commonwealth in connection with performance of work under this contract, except as provided in this contract.

d. Contractor shall not have a financial interest in any other contractor, subcontractor, or supplier providing services, labor, or material under this contract, unless the financial interest is disclosed to the Commonwealth in writing and the Commonwealth consents to Contractor's financial interest prior to Commonwealth execution of the contract. Contractor shall disclose the financial interest to the Commonwealth at the time of bid or proposal submission, or if no bids or proposals are solicited, no later than Contractor's submission of the contract signed by Contractor.

e. Contractor certifies to the best of its knowledge and belief that within the last five (5) years Contractor or Contractor Related Parties have not:

(1) been indicted or convicted of a crime involving moral turpitude or business honesty or integrity in any jurisdiction;

(2) been suspended, debarred or otherwise disqualified from entering into any contract with any governmental agency;

(3) had any business license or professional license suspended or revoked;

(4) had any sanction or finding of fact imposed as a result of a judicial or administrative proceeding related to fraud, extortion, bribery, bid rigging, embezzlement, misrepresentation or anti-trust; and

(5) been, and is not currently, the subject of a criminal investigation by any federal, state or local prosecuting or

investigative agency and/or civil anti-trust investigation by any federal, state or local prosecuting or investigative agency.

If Contractor cannot so certify to the above, then it must submit along with its bid, proposal or contract a written explanation of why such certification cannot be made and the Commonwealth will determine whether a contract may be entered into with the Contractor. The Contractor's obligation pursuant to this certification is ongoing from and after the effective date of the contract through the termination date thereof. Accordingly, the Contractor shall have an obligation to immediately notify the Commonwealth in writing if at any time during the term of the contract if becomes aware of any event which would cause the Contractor's certification or explanation to change. Contractor acknowledges that the Commonwealth may, in its sole discretion, terminate the contract for cause if it learns that any of the certifications made herein are currently false due to intervening factual circumstances or were false or should have been known to be false when entering into the contract.

f. Contractor shall comply with the requirements of the Lobbying Disclosure Act (65 Pa.C.S. § 13A01 et seq.) regardless of the method of award. If this contract was awarded on a Non-bid Basis, Contractor must also comply with the requirements of the Section 1641 of the Pennsylvania Election Code (25 P.S. § 3260a).

g. When Contractor has reason to believe that any breach of ethical standards as set forth in law, the Governor's Code of Conduct, or these Contractor Integrity Provisions has occurred or may occur, including but not limited to contact by a Commonwealth officer or employee which, if acted upon, would violate such ethical standards, Contractor shall immediately notify the Commonwealth contracting officer or the Office of the State Inspector General in writing.

h. Contractor, by submission of its bid or proposal and/or execution of this contract and by the submission of any bills, invoices or requests for payment pursuant to the contract, certifies and represents that it has not violated any of these Contractor Integrity Provisions in connection with the submission of the bid or proposal, during any contract negotiations or during the term of the contract, to include any extensions thereof. Contractor shall immediately notify the Commonwealth in writing of any actions for occurrences that would result in a violation of these Contractor Integrity Provisions. Contractor agrees to reimburse the Commonwealth for the reasonable costs of investigation incurred by the Office of the State Inspector General for investigations of the Contractor's compliance with the terms of this or any other agreement between the Contractor and the Commonwealth that results in the suspension or debarment of the Contractor. Contractor shall not be responsible for investigative costs for investigations that do not result in the Contractor's suspension or debarment.

i. Contractor shall cooperate with the Office of the State Inspector General in its investigation of any alleged Commonwealth agency or employee breach of ethical standards and any alleged Contractor non-compliance with these Contractor Integrity Provisions. Contractor agrees to make identified Contractor employees available for interviews at reasonable times and places. Contractor, upon the inquiry or request of an Inspector General, shall provide, or if appropriate, make promptly available for inspection or copying, any information of any type or form deemed relevant by the Office of the State Inspector General to Contractor's integrity and compliance with

these provisions. Such information may include, but shall not be limited to, Contractor's business or financial records, documents or files of any type or form that refer to or concern this contract. Contractor shall incorporate this paragraph in any agreement, contract or subcontract it enters into in the course of the performance of this contract/agreement solely for the purpose of obtaining subcontractor compliance with this provision. The incorporation of this provision in a subcontract shall not create privity of contract between the Commonwealth and any such subcontractor, and no third-party beneficiaries shall be created thereby.

j. For violation of any of these Contractor Integrity Provisions, the Commonwealth may terminate this and any other contract with Contractor, claim liquidated damages in an amount equal to the value of anything received in breach of these Provisions, claim damages for all additional costs and expenses incurred in obtaining another contractor to complete performance under this contract, and debar and suspend Contractor from doing business with the Commonwealth. These rights and remedies are cumulative, and the use or non-use of any one shall not preclude the use of all or any other. These rights and remedies are in addition to those the Commonwealth may have under law, statute, regulation, or otherwise.

Attachment D

AMERICANS WITH DISABILITIES ACT

a. Pursuant to federal regulations promulgated under the authority of The Americans with Disabilities Act, 28 C.F.R. § 35.101 et seq., the contractor understands and agrees that it shall not cause any person with a disability to be excluded from participation in this Contract or from activities provided for under this Contract on the basis of the disability. As a condition of accepting this contract, the Contractor agrees to comply with the "General Prohibitions Against Discrimination," 28 C.F.R. § 35.130, and all other regulations promulgated under Title II of The Americans with Disabilities Act which are applicable to the benefits, services, programs, and activities provided by the Commonwealth of Pennsylvania through contracts with outside contractors.

b. The Contractor shall be responsible for and agrees to indemnify and hold harmless the Commonwealth of Pennsylvania from all losses, damages, expenses, claims, demands, suits, and actions brought by any party against the Commonwealth of Pennsylvania as a result of the Contractor's failure to comply with the provisions of subparagraph (a) above.

Attachment E

RIGHT TO KNOW LAW— GRANT PROVISIONS—8-K-1580

a. Grantee or Subgrantee understands that this Grant Agreement and records related to or arising out of the Grant Agreement are subject to requests made pursuant to the Pennsylvania Right-to-Know Law, 65 P.S. §§ 67.101-3104, ("RTKL"). For the purpose of these provisions, the term "the Commonwealth" shall refer to the granting Commonwealth agency.

b. If the Commonwealth needs the Grantee's or Subgrantee's assistance in any matter arising out of the RTKL related to this Grant Agreement, it shall notify the Grantee of Subgrantee using the legal contact information provided in the Grant Agreement. The Grantee or

Subgrantee, at any time, may designate a different contact for such purpose upon reasonable prior written notice to the Commonwealth.

c. Upon written notification from the Commonwealth that it requires Grantee's or Subgrantee's assistance in responding to a request under the RTKL for information related to this Grant Agreement that may be in Grantee's or Subgrantee's possession, constituting, or alleged to constitute, a public record in accordance with the RTKL ("Requested Information"), Grantee or Subgrantee shall:

1. Provide the commonwealth, within ten (10) calendar days after receipt of written notification, access to, and copies of, any document or information in Grantee's or Subgrantee's possession arising out of this Grant Agreement that the Commonwealth reasonably believes is Requested Information and may be a public record under the RTKL; and

2. Provide such other assistance as the Commonwealth may reasonably request, in order to comply with the RTKL with respect to this Grant Agreement.

d. If Grantee or Subgrantee considers the Requested Information to include a request for a Trade Secret or Confidential Proprietary Information, as those terms are defined by the RTKL, or other information that Grantee or Subgrantee considers exempt from production under the RTKL, Grantee or Subgrantee must notify the Commonwealth and provide, within seven (7) calendar days of receiving the written notification, a written statement signed by a representative of Grantee or Subgrantee explaining why the requested material is exempt from public disclosure under the RTKL.

e. The Commonwealth will rely upon the written statement from Grantee or Subgrantee in denying a RTKL request for the Requested Information unless the Commonwealth determines that the Requested Information is clearly not protected from disclosure under the RTKL. Should the commonwealth determine that the Requested Information is clearly not exempt from disclosure, Grantee or Subgrantee shall provide the Requested Information within five (5) business days of receipt of written notice of the Commonwealth's determination.

f. If Grantee or Subgrantee fails to provide the Requested Information within the time period required by these provisions, Grantee or Subgrantee shall indemnify and hold the Commonwealth harmless for any damages, penalties, costs, detriment or harm that the Commonwealth may incur as a result of Grantee's or Subgrantee's failure, including any statutory damages assessed against the Commonwealth.

g. The Commonwealth will reimburse Grantee or Subgrantee for any costs associated with complying with these provisions only to the extent allowed under the fee schedule established by the Office of Open Records or as otherwise provided by the RTKL if the fee schedule is inapplicable.

h. Grantee or Subgrantee may file a legal challenge to any Commonwealth decision to release a record to the public with the Office of Open Records, or in the Pennsylvania Courts, however, Grantee or Subgrantee shall indemnify the Commonwealth for any legal expenses incurred by the Commonwealth as a result of such a challenge and shall hold the Commonwealth harmless for any damages, penalties, costs, detriment or harm that the Commonwealth may incur as a result of Grantee's or Subgrantee's failure, including any statutory damages assessed against the Commonwealth, regardless of the outcome of such legal challenge. As between the parties,

Grantee or Subgrantee agrees to waive all rights or remedies that may be available to it as a result of the Commonwealth’s disclosure of Requested Information pursuant to the RTKL.

i. The Grantee’s or Subgrantee’s duties relating to the RTKL are continuing duties that survive the expiration of this Grant Agreement and shall continue as long as the Grantee or Subgrantee has Requested Information in its possession.

Attachment F

Contractor Responsibility Provisions

For the purpose of these provisions, the term contractor is defined as any person, including, but not limited to, a bidder, offeror, loan recipient, Grantee or lessor, who has furnished or performed or seeks to furnish or perform, goods, supplies, services, leased space, construction or other activity, under a contract, grant, lease, purchase order or reimbursement agreement with the Commonwealth of Pennsylvania (Commonwealth). The term contractor includes a permittee, licensee, or any agency, political subdivision, instrumentality, public authority, or other public entity in the Commonwealth.

1. The Contractor certifies, in writing, for itself and its subcontractors required to be disclosed or approved by the Commonwealth, that as of the date of its execution of this Bid/Contract, that neither the Contractor, nor any such subcontractors, are under suspension or debarment by the Commonwealth or any governmental entity, instrumentality, or authority and, if the Contractor cannot so certify, then it agrees to submit, along with its Bid/Contract, a written explanation of why such certification cannot be made.

2. The Contractor also certifies, in writing, that as of the date of its execution of this Bid/Contract it has no tax liabilities or other Commonwealth obligations, or has filed

a timely administrative or judicial appeal if such liabilities or obligations exist, or is subject to a duly approved deferred payment plan if such liabilities exist.

3. The Contractor’s obligations pursuant to these provisions are ongoing from and after the effective date of the Contract through the termination date thereof. Accordingly, the Contractor shall have an obligation to inform the Commonwealth if, at any time during the term of the Contract, it becomes delinquent in the payment of taxes, or other Commonwealth obligations, or if it or, to the best knowledge of the Contractor, any of its subcontractors are suspended or debarred by the Commonwealth, the federal government, or any other state or governmental entity. Such notification shall be made within 15 days of the date of suspension or debarment.

4. The failure of the Contractor to notify the Commonwealth of its suspension or debarment by the Commonwealth, any other state, or the federal government shall constitute an event of default of the Contract with the Commonwealth.

5. The Contractor agrees to reimburse the Commonwealth for the reasonable costs of investigation incurred by the Office of State Inspector General for investigations of the Contractor’s compliance with the terms of this or any other agreement between the Contractor and the Commonwealth that results in the suspension or debarment of the contractor. Such costs shall include, but shall not be limited to, salaries of investigators, including overtime; travel and lodging expenses; and expert witness and documentary fees. The Contractor shall not be responsible for investigative costs for investigations that do not result in the Contractor’s suspension or debarment.

6. The Contractor may search the current list of suspended and debarred Commonwealth contractors by visiting the eMarketplace website at <http://www.emarketplace.state.pa.us> and clicking the Debarment List tab.

Addendum 2

BOARD GRANT SCORING CRITERIA & SCALE

<i>Section Title</i>	<i>Evaluation Criteria</i>	<i>Points</i>
Feasibility	<ul style="list-style-type: none"> • To what extent can the Purpose be accomplished with the funds requested? • Is there enough non-cash capacity to fulfill the objectives of the project? • Are the proposed outcomes and impacts in proportion to the grant request? • Can the project be completed within the timeline established? • Are the outcomes proposed realistic? 	10
Linkages to PA’s Beer Industry	<ul style="list-style-type: none"> • Is there a compelling link to PA’s Beer Industry? • How quickly will the industry benefit from project outcomes? 	10
Innovation	<ul style="list-style-type: none"> • Does the proposal offer a “new approach” in supporting PA Beer? • Will the project offer or create any new competitive advantages? • Do the project outcomes offer new and unique benefits to the industry? • What components of the project are sustainable once completed? 	20
Expected Impacts & Outcomes	<ul style="list-style-type: none"> • Will the project raise the visibility of PA Beer? • Will the impacts and outcomes offer long-term benefits? • Do they provide solutions to current industry challenges? • How will the impacts and outcomes ultimately strengthen PA’s beer industry? • How much of the industry will benefit from the project? 	20
Economic Benefits Generated	<ul style="list-style-type: none"> • Does the project create jobs? • Does the project save money for the industry? • Will it strengthen the economic viability of the industry and how? • Does the project support and promote intrastate and/or interstate tourism? 	20

<i>Section Title</i>	<i>Evaluation Criteria</i>	<i>Points</i>
Methodology & Evaluation	<ul style="list-style-type: none"> • Can the methodology produce the desired outcomes? • Does the evaluation component measure the right outcomes? • Can the methodology produce stated economic benefits and can the evaluation accurately measure so benefits? 	10
Industry Support	<ul style="list-style-type: none"> • Is there strong industry support for this project? • Are there any matching funds or leveraged resources? 	10

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DEPARTMENT OF AGRICULTURE

Pennsylvania Wine Marketing and Research Board; Grant Solicitation and Application Procedures for Act 39 of 2016 Funding

1. *Introduction.* The Pennsylvania Wine Marketing and Research Program Board (Board) annually, or more frequently as the availability of fund permits, solicits applications for grants to conduct promotion, marketing and research projects to increase the quality, profitability, production and sale of wines, enhance the wine industry and benefit wine producers of this Commonwealth. The Board was established by the Department of Agriculture (Department) under 3 Pa.C.S. §§ 4501—4513 (relating to Agricultural Commodities Marketing Act) (ACMA). Its composition, funding and duties were subsequently expanded by section 488.1 of the Liquor Code (47 P.S. § 4-488.1). The Board makes recommendations for the awarding of grants by the Liquor Control Board (LCB) from funds provided through the Liquor Code (47 P.S. §§ 1-101—10-1001) for LCB Act 39 of 2016 funding. This notice establishes the procedures by which grant applications will be solicited, reviewed and grants awarded.

2. *Grant Solicitation.* The Board will be accepting grant applications for the purposes, in the form and according to the schedule set forth herein for not less than 30 days beginning on the date of publication of this notice in the *Pennsylvania Bulletin*. Additional publication and dissemination of this notice shall be made and may include direct dissemination to State universities and State-supported universities located in this Commonwealth, universities with colleges of agricultural science located in this Commonwealth and individuals or entities who have requested notification from the Department of Agriculture or the Board of grant availability.

3. *Process Overview.* The Board will employ the review process described as follows to select projects and funding levels to recommend to the LCB for the making of a grant. In the event of a recommendation to the LCB to make and fund a grant, the decision as to whether to award a grant will be made by the LCB.

a. If the LCB approves the grant recommendation, the terms and conditions of the grant will be governed by a grant agreement between the LCB and the applicant, which shall be tendered to the applicant for execution by the LCB, returnable to the LCB in no more than 30 calendar days.

b. The LCB grant agreement follows hereto as Addendum 1 and incorporated by reference. This grant solicitation will be incorporated by reference into, and become part of, the LCB grant agreement that will govern all grants awarded under this grant solicitation. The terms

are non-negotiable; therefore, applicants shall carefully review the LCB grant agreement to ensure that proposed projects are compliant with agreement requirements.

c. It is also recommended that applicants seek private counsel experienced in Pennsylvania liquor law to provide guidance as it pertains to the Liquor Code and the LCB’s regulations at 40 Pa. Code §§ 1.1—17.41 (relating to liquor), to ensure the legality and viability of grant projects and proposed activities.

4. *Concept Paper and Application Deadlines.*

a. *Concept Paper.* Interested applicants must deliver a one-page concept paper, plus a one-page budget, by e-mail, as a PDF file, by 4 p.m. on Friday, February 17, 2023, to RA-AGCommodities@pa.gov. The file should not exceed 5MB. The concept paper must identify timeframes for proposed grant activities in conformance with the timeframes identified in paragraph 9, Term of Grants, as well as Addendum 1.

b. *Application.* Applicants whose concept papers are approved by the Board will be invited to submit a Project Proposal and Grant Application, in the form set forth in paragraph 6 of this notice, to the Board by 4 p.m. on Friday, June 9, 2023. Proposals should be sent electronically as a PDF file, to RA-AGCommodities@pa.gov. The file should not exceed 5MB.

c. *Presentations.* Applicants must be prepared to provide a brief 3-minute presentation of their proposal to the Board, and answer questions, either in person or by conference call, at the Board’s next scheduled meeting on Tuesday, July 11, 2023, at 10 a.m. The meeting will be held virtually by means of Microsoft Teams.

5. *Format of the Concept Paper.* Failure to follow this format could result in rejection of your proposal. The concept paper shall include:

a. *Organization/Business Type.* List the applicant’s full legal organization/business type.

b. *Organization/Business Information.* List the organization/business name along with the contact information and the amount of grant funds the entity is requesting. In the event of an LCB grant award, applicants will be required to have or obtain an LCB Oracle Supplier Registration number using the name, full street address and tax identification number that matches the applicant information presented in the proposal/grant application.

c. *Project Coordinator/Qualifications* should be attached as a maximum 3-page addendum which does not count toward the page limit of the Concept Paper. Identify the person who will be directing the proposed project and clearly state their qualifications including:

i. *Research projects*—Full and complete literature references to (up to) five key published journal articles directly related to proposed research/outreach.

ii. *Marketing projects*—Sample images from (up to) three previous marketing campaigns along with a description of in-market implementation plan (including types of medium such as print, digital, display, TV/radio, out of-home, and the like) and performance metrics to include both impressions and cost-per-conversion.

d. *Organization History*. Indicate whether the organization has previously received Wine Marketing and Research Program or agriculture-related grant funds.

e. *Area of Focus*. For purposes of LCB grants, “Marketing” projects include advertising and promotions, educational/outreach projects, and technical support initiatives such as web site development, equipment or process development, while “Research” projects include agricultural and economic research and development efforts.

f. *Project Purpose*. In one or two paragraphs, clearly state the specific issue, problem, interest or need, and how the project will address it. Explain why the project is important and timely.

g. *Estimated Timeline*. State the estimated timeline for the proposed project. The timeline may not begin earlier than January 1, 2024, and may not extend beyond the term of the grant as set forth in more detail at paragraph 9.

h. *Expected Measurable Outcomes*. What are the goals and objectives of the project? How do the objectives support the goals? Goals are long-term broad visions and may take time to achieve. Objectives are significant steps that must be completed to achieve the goal. Objective statements should focus on the outcome, rather than the methods used. Each goal should have one or more objectives. Describe at least one distinct, quantifiable and measurable outcome that directly and meaningfully supports the project’s purpose. Typically, outcomes are those measures that are quantifiable, measure direct benefit and are documented through data or information collection.

i. *Preliminary Project Work Plan*. List the major tasks of the proposed project.

j. *Draft Budget*. State the budget for the proposed project using the categories from paragraph 6.f. If a project is selected to submit a proposal, more detailed budget information will be required.

6. *Format of the Project Proposal and Grant Application*. Failure to follow this format could result in rejection of your proposal. Applicants may submit up to three one-page letters of support which do not count toward the page limit. The project proposal and grant application cannot exceed 10 pages total for project and budget narratives, plus one additional page for the budget table and shall be formatted as follows:

a. A cover page, titled Pennsylvania Wine Marketing and Research Program—Project Proposal and Grant Application, providing: the title of the proposed project; the full legal name and street address of the applicant; the name, address, telephone number and e-mail address of the applicant’s principal contact person for matters relating to the application; the name, title, address, telephone number and e-mail address of the individual authorized to contractually bind the applicant to the grant agreement; and the total maximum grant amount sought for the proposed project or program.

b. Addendum, titled Demonstrated Qualifications, should be attached as a maximum 3-page addendum which does not count toward the page limit of the proposal.

i. *Research projects*:

1. Describe how widely previous research has been adopted by the industry in this Commonwealth or other states;

2. List any papers presented at meetings in the Commonwealth, other states or countries;

3. Highlight any papers published in regional, National, or international peer reviewed journals; and

4. Show where credited financial support the research.

ii. *Marketing projects*:

1. List industry partners that are involved with marketing proposal that will provide Pennsylvania wine industry insight.

2. Describe how the marketing plan is accountable to the Pennsylvania wine industry.

3. Provide documented success of previous marketing campaigns that you have conducted for other large-scale industries.

c. Section 1, titled Statement of Purpose, addressing: the purpose for which the grant funds would be utilized and identifying methods for measuring and reporting outcomes; details of the proposed project, including a statement of expected impact of outcomes, staffing for the project, and objectives and methodologies; and whether, how and to what anticipated extent, the proposed marketing or research project increases the quality, profitability, production and sale of wines, enhances the wine industry and benefits wine producers of this Commonwealth.

d. Section 2, titled Statement of Need, addressing: the need for the grant funds sought; any other partners or partner organizations that will be involved with the project; and any other funding or noncash resources that will be committed to the project and the sources thereof.

e. Section 3, titled Evaluation and Reporting, shall identify expected measurable outcomes previously identified in the concept paper, and the outcome measures. Include a narrative describing data collection to inform the outcome measures. This section must be clear and unambiguous as it will inform expectations of progress reports and final reports.

f. Section 4, titled Budget, presenting a detailed budget for the proposed project or program, including any other matching funds and the value of any noncash resources that will be included in the project.

For all applications, each and every item of direct expense to be incurred in the project shall be separately set forth, including all purchases of consumable or nonconsumable goods or equipment, listing the disposition of all nonconsumable goods or equipment upon completion of the project; all travel by dates, purpose, destination, mode of transportation and rate; a full breakdown of other costs, if any, and the method used to calculate those costs. See also paragraph 12.

i. *Personnel*—Includes employed personnel. Those employed elsewhere should be listed as subcontractors or consultants in the Contractual cost category. Provide detail of all personnel by name devoted to the project, their professional qualifications, the amount of time calculated by hours and the tasks to be performed by each of the named personnel. In the case of graduate student participation, reasonable stipends will be allowed, and tuition will not be allowed.

ii. *Fringe Benefits*—For personnel of the grantee only, provide the rate of fringe benefits for each project participant's salary or wages. Identify the total for all funded fringe benefits.

iii. *Travel*—For personnel of the grantee only, calculate the costs for travel by considering destinations, number of trips, days traveling, transportation costs, estimated lodging and meal costs, and estimated mileage rate.

iv. *Supplies*—These are consumables procured for and used in furtherance of the project and include items such as lab or field equipment.

v. *Contractual*—Those costs paid to other nonemployee individuals or entities to perform specific work or to provide specific services in accordance with the approved project. By way of example, this could include speaker fees, facility and equipment rental costs, software subscriptions, and costs for social media placement and data collection. If contractual work will be involved with carrying out the work of the project, identify the total contractual expenses. When determining the total cost for this category, include the fees for the professional services, contractor travel costs, and any other related contractual expenses.

vi. *Other*—This category includes fees for conferences or meetings, membership dues, honorarium, scholarships, postage/shipping fees and publication costs.

vii. *Indirect Costs*—Grant awards may include an allowance for indirect costs of up to 10% of the total direct costs. Total direct costs are defined as the total of the above six budget categories (Personnel, Fringe Benefits, Travel, Supplies, Contractual and Other) and are often referred to by grantee entities as Facilities and Administration or Overhead.

g. Section 5, titled Budget Narrative, providing details of how you arrived at the estimated expenses in your budget and describing how each expense will lead to the success of your project.

h. Section 6, titled Industry Support, addressing the extent of support, participation and funding from the Commonwealth's wine industry, including associations, organizations or agencies, or both, with an interest in the project outcome. Any letters or written confirmation of that support, participation or funding should be included in this section.

i. Due to limitations of Commonwealth equipment and considering that all LCB grant communications will be conducted electronically, applicants should not use color in any tables, graphs, charts or other material elements of the proposals. Black and white or gray-scale should be used in such elements to ensure ongoing document integrity.

7. *Scoring of Applications*. The Board will evaluate each complete and timely-filed project proposal and grant application it receives, which shall include a 100-point scale assessing:

- a. Up to 20 points for the project needs statement.
- b. Up to 20 points for the expected impact of project outcomes.
- c. Up to 20 points for the promotion, marketing or research methodology.
- d. Up to 20 points for overall project evaluation.
- e. Up to 20 points for support and participation from industry.

8. *Evaluation, Recommendations and Awards*. The Board reserves the right to request modifications or clarifications, or both, of project proposals and grant applications, including but not limited to additional detail of purpose, reduced or modified budgets, and the like. Upon completion of evaluations, the Board will prepare a record identifying each complete and timely filed project proposal and grant application received, and the numerical score assigned to each. In the event of one or more recommendations to the LCB to make and fund a grant, the Board will transmit to the LCB the complete and final project proposal and grant application along with the score assigned by the Board and any other information deemed relevant by the Board or requested by the LCB. Request will be made by the Board that the LCB respond to all recommendations for grant approval within 30 days. The LCB's three-member board will vote on these recommendations at a public meeting, and the LCB will directly contact those applicants whose proposals/applications are approved. The LCB is responsible for notifying applicants whose projects were recommended by the Board for LCB funding, but which the LCB determined not to fund.

9. *Term of Grants*.

a. Grant Agreements will become effective on January 1, 2024, or the date of the last required Commonwealth approval, whichever is later (Effective Date). Reimbursements will not be made by the LCB for any grant activity commencing prior to the Effective Date.

b. Research projects will have a term of 18 months. All other projects will have a term of 12 months.

c. A Notice to Proceed, Purchase Orders, fully executed agreements and invoicing instructions will be provided by LCB by means of e-mail.

d. Final invoices shall be submitted to the LCB within 60 days of contract end date as set forth in the Grant Agreement.

e. See Addendum 1 Grant Agreement for more details about the LCB's grant administration practices.

10. *Progress Reports*. Progress reports are to include the deliverables from paragraph 6.e. and be delivered by e-mail to RA-AGCommodities@pa.gov and RA-LBACT39GRANTS@pa.gov no later than October 1, and April 1, every year for the duration of the project, or as requested by the Board. Final reports should be submitted within 90 days of contract end date. Failure to meet these deadlines constitutes a breach of the grant agreement, will result in nonpayment of invoices, and could jeopardize future grant awards.

11. *Grant Agreement*. The LCB will provide applicants with a grant agreement for Grantee's execution and return within 30 calendar days. The LCB will obtain the required signatures on the grant agreements, including any other required Commonwealth entities, and return a copy to the applicant. Grant agreements are not effective, and work should not begin until all required signatures have been applied to the grant agreement and a Notice to Proceed is issued. Among the terms of the grant agreement shall be a requirement that the grant recipient provide the Board and the LCB full and complete access to all records relating to the performance of the project and submit information as the Board or the LCB, or both, may require.

12. *Cost-Reimbursement Grant.* Grants made hereunder do not require the applicant secure or devote a matching sum to the project. Payment of grant funds will occur on a reimbursement basis only.

RUSSELL C. REDDING,
Secretary

Addendum 1
LCB GRANT AGREEMENT
PENNSYLVANIA LIQUOR CONTROL BOARD
GRANT AGREEMENT
PURSUANT TO 47 P.S. § 4-488.1

This Grant Agreement is entered into by and between the Pennsylvania Liquor Control Board, 312 Northwest Office Building, Harrisburg PA 17124 (hereinafter referred to as “PLCB” or “Grantor”), and _____, (hereinafter referred to as “Grantee”) (collectively, “the Parties”).

I. RECITALS

1. Pursuant to sections 488(k) and 448.1 of the Pennsylvania Liquor Code, 47 P.S. §§ 4-488(k) and 4-488.1, the PLCB shall allocate the amount of \$1,000,000 annually to be used to award grants to entities for the purpose of increasing the production of Pennsylvania-made wines and enhancing the Pennsylvania wine industry through promotion, marketing and research-based programs and projects.

2. The Pennsylvania Wine Marketing and Research Program Board (“Wine Board”) was established by the Pennsylvania Department of Agriculture under the authority of the Pennsylvania Agricultural Commodities Marketing Act at 3 Pa.C.S. §§ 4501—4513. Its composition, funding and duties were subsequently expanded in the Pennsylvania Liquor Code; specifically, at 47 P.S. § 4-488.1.

The Wine Board is statutorily charged with establishing procedures by which an entity may submit an application for grant funding pursuant to 47 P.S. § 4-488(k) and § 4-488.1; reviewing all such grant applications; and making recommendations to the PLCB for the awarding of the grants.

The Wine Board is further statutorily charged with requiring grant recipients to provide full and complete access to all records relating to the performance of the grant; conducting a thorough annual evaluation of each program for which a grant is made; and submitting an annual report to the General Assembly detailing all actions of the Wine Board and the grants awarded pursuant to section 488(k) and 488.1 of the Liquor Code.

3. The PLCB has made the aforementioned allocation; the Wine Board has established the requisite procedures and process; the Wine Board has issued a competitive grant solicitation as posted on [Date] at [___ PaB. ___] (the “RFP”), incorporated by reference herein, and the Grantee has applied for a grant pursuant thereto; the Wine Board has recommended to the PLCB to make a grant to the Grantee as detailed in Appendix G, attached and incorporated by reference; and the PLCB has approved the award of the grant (“the Grant”).

II. AGREEMENT

In consideration of the foregoing recitals, which are incorporated herein, and the mutual promises contained in this Grant Agreement, the Parties, intending to be legally bound, agree as follows:

1. SCOPE.

a. This Grant is for funding the Project Proposal and Grant Application (“the Project”) summarily described as follows and in more detail in the documents attached hereto and incorporated herein as Attachment G. _____

b. No increases to the funding amount or changes to the approved overall scope of work will be permitted under any circumstance; however, minor revisions to the Project timeline, methodology and/or budget(s) contained in Attachment G may be approved by the PLCB at its sole discretion upon review of Grantee’s written request and justification for same. Similarly, at the PLCB’s sole discretion and in consideration of exigent circumstances, the PLCB may authorize changes to specific elements of an approved scope of work. The PLCB will reject any such requested revisions that are retroactive in nature; therefore, Grantee must carefully manage its project and communicate with the PLCB in a timely manner via the PLCB’s resource email account.

By way of example only, if certain approved grant elements cannot be performed due to governmental restrictions related to a pandemic (e.g., in-person event), then Grantee may propose modifications to those elements (e.g., shift to virtual event), limited to what is reasonably necessary to achieve the approved project objectives and deliverables and within the original approved budget.

Grantee shall submit such requests via email to the PLCB’s resource account at RA-LBAct39Grants@pa.gov (“the Resource Account”), and the PLCB will respond to the request via the same Resource Account within ten calendar days of its receipt of the request.

2. OPERATIONAL REQUIREMENTS

a. All communications between the Grantee and the PLCB, including but not limited to questions, notifications, requests, and invoice submissions, shall be conducted via email to and from the PLCB’s aforementioned Resource Account. Grantee expressly accepts this method of electronic communication and is responsible to timely provide notice to the PLCB via the Resource Account if there are any changes or additions to the Grantee’s contact information. The PLCB will utilize best efforts to respond to all inquiries from Grantee within five business days of receipt of an email, except as otherwise provided herein.

b. In order to be issued an approved Purchase Order and to receive Grant funds, Grantee must have a valid PLCB Supplier number.

3. EFFECTIVE DATE AND TERM

a. This Grant Agreement shall become effective on January 1, 2024 or on the date of the last required Commonwealth signature, whichever is later (the “Effective Date”). The Term of the Grant shall be up to twelve months from the Effective Date for marketing, educational and/or promotions-related projects and up to eighteen months from the Effective Date for research projects. The Effective Date and the Term will be set forth with specificity on the Notice to Proceed letter and the PLCB Purchase Order, which will be sent to Grantee via the Resource Account with the fully executed Grant Agreement. The Grant Activity Period (defined as the period of performance for which Grantee can be reimbursed for activity performed in furtherance of the project as set forth in the approved grant proposal’s timeline) may be

shorter than the Term of the Grant Agreement, but in no event may the Grant Activity Period exceed the Term of the Grant Agreement.

b. No later than sixty days prior to the expiration of the Grant Activity Period, Grantee may electronically submit a request to the PLCB via the Resource Account to extend the Grant Activity Period in order to complete the Project without increasing the Grant funding. At its sole discretion and by issuance of a written notice to extend by the PLCB, the PLCB may extend the Grant Activity Period for no more than ninety days. This written notice of an approved extension will be emailed to the Grantee via the Resource Account within ten calendar days of the PLCB's receipt of a compliant request. To be clear, in circumstances where the Term of the Grant Agreement is the same span of time as the Grant Activity Period, such an extension of the Grant Activity Period will also constitute extension of the Term of the Grant Agreement.

4. REIMBURSEMENT. The PLCB agrees to reimburse Grantee in the amount not to exceed \$ _____ for approved expenses incurred in accordance with the terms of this Grant Agreement. Payments hereunder may be made electronically through the Pennsylvania Electronic Payment Program, details of which are set forth and incorporated herein as Attachment A hereto. Under no circumstances will the PLCB reimburse the Grantee for any expenses incurred before the Effective Date or after the expiration of the Term of the Grant.

5. CONTRIBUTION. The Grantee agrees to contribute and/or secure any additional necessary funds required to complete the Project, if any, in accordance with the terms of Attachment G.

6. PERMITTED EXPENDITURE.

a. Reimbursement funds provided by the PLCB shall be used for only those expenses outlined in this Grant Agreement, including its Attachments. The Grantee shall not purchase equipment of any type or kind under the terms of this Grant Agreement unless mandated by the nature of the work and explicitly approved by the PLCB in this Grant Agreement.

b. The Grantee expressly warrants that it shall request reimbursement of expenses solely allowable by the Grant Agreement. Should the PLCB determine that the Grantee is not using Grant funds exclusively in conformance with the Grant Agreement, the PLCB shall have the absolute right, in addition to any other rights provided herein or by law, to terminate this Grant Agreement and to demand the repayment/return of Grant funds. Failure of Grantee to repay/return such funds within ten business days of the PLCB's written demand, sent electronically via the Resource Account, will result in referral of the matter to the Office of the Attorney General.

7. INVOICING, RECORDS, REPORTS.

a. All payments of Grant funds hereunder shall be made on a reimbursement basis only and as set forth in the PLCB Budget Worksheet that will be provided with the Grant Agreement execution package. The PLCB Budget Worksheet is based entirely on the Grantee's approved budget as set forth in Attachment G; however, in the event that the Grantee's budget proposal does not comport with the RFP budget categories, the PLCB reserves the right to substitute the PLCB Budget Worksheet as Attachment H to the Grant Agreement. In such a case, the PLCB Budget Worksheet Attachment H shall

supersede the Grantee's Project Proposal Attachment G for purposes of grant administration and reimbursement invoicing.

b. Grantee must electronically submit detailed reimbursement invoices to the Resource Account. The invoices must clearly indicate the PLCB Purchase Order number, the payee for each item, the total paid to that payee for each budget line item type for approved grant activities for the quarterly invoice period, a brief description of the expense item, and the date such payment was issued. The PLCB requires that Grantee will include reasonable supporting documentation of these expenses as every reimbursement invoice is compared to the approved grant agreement package, which includes the final proposal documents, to ensure that the expenses were within the approved project scope, timeline and budget.

c. The following parameters will be applied to all reimbursement requests to ensure compliance with the letter and the spirit of the RFP and its budget categories:

i. *Personnel costs* are those wage or salary payments made to named employees of the Grantee for the relevant time period. When seeking reimbursement, Grantee must set forth "who did what, when, for how much, and when was that expense paid." Grantee must also provide documentation to support those elements, which may include use of corporate/entity payroll records containing appropriate details. Personnel costs are "direct costs."

ii. *Fringe benefits* are similarly those sums attributable to named employees of the grantee for the subject time period. These line items should track with Personnel costs as described above. By way of example only, if the PLCB Budget Worksheet has Personnel line items for Employee A, B and C, and also has Fringe Benefit line items, the reimbursement invoice should indicate the wages and fringe benefits for each of the named employees who performed work on the project during the quarter, in the appropriate budget categories. Use of the PLCB Budget Worksheet will help grantees to ensure that appropriate information is provided. Fringe benefits are "direct costs."

iii. *Travel expenses* as noted in the PLCB Budget Worksheet may be reimbursed at actual documented cost for named employees of the Grantee for lodging and for transportation that involves vehicle rental or train/airplane expense; at the 2023 IRS mileage rate for vehicle mileage; and for meals that are reasonably incurred in the performance of the approved project. That said, Grantees should note that, when determining reimbursement eligibility of travel expenses, the PLCB will consider the federal government's General Services Administration's maximum allowable per diem rate by region for meals, incidentals and lodging. All reimbursement requests for travel expenses must include specific details of "who went where, how (travel mode), when, for what purpose, at what cost, and when/how that cost was paid." Please note that, in accordance with Commonwealth policy, the PLCB will not reimburse any travel expenses incurred for the purchase of alcoholic beverages. Supporting documentation is required for all expense items. Travel expenses are "direct costs."

iv. *Supplies* expenses should be documented to detail "who (vendor/supplier name) provided what (specific goods), when, at what cost, and when was that vendor/supplier paid." Supporting documentation should include detailed vendor/supplier invoices and documentation of grantee's payment of those invoices. Supplies expenses are "direct costs."

v. *Contractual expenses* are those costs paid to other non-employee individuals or entities to perform specific work in accordance with the approved project. When seeking reimbursement, expenses should be documented to detail “who (name of individual, contractor or supplier) did what, when, for how much, and when was that expense paid.” These expenses may only be for goods or services supplied during the Grant Activity Period. By way of example only, if the PLCB Budget Worksheet notes a software subscription is an approved “Contractual” expense, the PLCB will only reimburse that portion of the software subscription cost that covers the Grant Activity Period. Detailed provider invoices should be submitted, along with documentation of Grantee’s payment of those invoices. Contractual expenses are “direct costs.”

vi. *Other expenses* are those set forth in detail on the PLCB Budget Worksheet and may include expenses such as conference fees, publication costs, honoraria, scholarships and postage/shipping expenses. When seeking reimbursement, expenses should be documented to detail “who (name of individual, contractor or supplier) provided what, when, for how much, and when was that expense paid.” Publication costs are only reimbursable if the expense is incurred and the publication is contracted during the Grant Activity Period, although it is understood that actual publication of scholarly articles may occur after the expiration of the Term of the Grant Agreement. These “Other” expenses are “direct costs.”

vii. *Indirect costs* are defined as a percentage of the total of all direct costs incurred and are intended to compensate for supportive expenses of the Grantee. Indirect costs are often referred to as “Facilities and Administration” or “Overhead” and are capped at 10% for these grants. When seeking reimbursement, grantees may submit a flat rate cost element on the reimbursement invoice/PLCB Budget Worksheet, noting the time period covered. Supporting documentation is not required. By way of example, if total direct costs for a given quarter equal \$4,000 and Grantee has an approved budget category of 10% indirect costs, the reimbursement invoice may seek payment of the \$4,000 in total direct costs plus an additional \$400 as indirect costs, for a total quarterly reimbursement request of \$4,400.

d. These invoices are to be submitted within thirty days of the end of each quarter during the Grant Activity Period for work performed and expenses paid during that quarter. If there was no work performed or expenses paid during a given quarter of the Grant Activity Period, Grantee is to communicate that fact via email to the Resource Account within thirty days of the end of that quarter. The PLCB shall reject any invoices received more than sixty days following the end of the Grant Activity Period and Grantee shall have no claim against the PLCB or the Commonwealth for same.

e. In the event that a reimbursement invoice as submitted does not permit the PLCB to adequately discern the appropriateness of the reimbursement request, then the Grantee will receive a request via the Resource Account for additional supporting documentation to substantiate the invoice submitted and the funds expended. Grantee will have ten calendar days to respond to the Resource Account.

f. Grantee is required to file timely progress reports to the Wine Board at RA-AGCommodities@pa.gov, including but not limited to a final report. Grantee should copy the PLCB’s Resource Account at RA-LBAct39Grants@pa.gov when submitting progress reports to the Wine Board. The

PLCB reserves the right to withhold payment otherwise due under the terms of this Grant Agreement for Grantee’s failure to submit reports to the Wine Board, until the Wine Board advises the PLCB that such reports have been submitted. The Grantee is responsible for ensuring that its required reports are timely submitted directly to the Wine Board and acknowledges that the PLCB has no involvement in the Wine Board’s statutory reporting requirements.

g. Records of all expenditures shall be maintained for a period of two years after expiration of the Term of this Grant Agreement and shall be subject to audit by the PLCB and legally authorized officials of the Commonwealth of Pennsylvania. The Grantee shall provide the PLCB and the Commonwealth full and complete access to all records relating to the performance of any and all work hereunder and shall submit truthful and accurate information about the work performed hereunder if, and as, requested by the PLCB and/or the Commonwealth.

8. HOLD HARMLESS. The Grantee shall indemnify, hold harmless and defend the PLCB and the Commonwealth of Pennsylvania and their officers, employees and agents from and against any and all suits and judgments for damages for personal injury, death or damage to real or tangible personal property arising out of or in conjunction with the performance by the Grantee under this Grant Agreement and caused by the Grantee’s negligence or intentional wrongful acts. This paragraph does not apply when the Grantee is a Commonwealth Agency, including but not limited to state-affiliated entities or state-related institutions.

9. ADDITIONAL COMPLIANCE REQUIREMENTS

a. The following additional compliance requirements are attached and incorporated into this Grant Agreement and made a part hereof. The Grantee shall comply with, and be bound by, the provisions set forth in these attachments:

i. Attachment A—Pennsylvania Electronic Payment Program

ii. Attachment B—Nondiscrimination/Sexual Harassment Clause, with respect to which the Grantee is the “Contractor.”

iii. Attachment C—Contractor Integrity Provisions, with respect to which the Grantee is the “Contractor.”

iv. Attachment D—The Americans With Disabilities Act provisions, with respect to which the Grantee is the “Contractor.”

v. Attachment E—Right-to-Know Provisions, with respect to which the Grantee is the “Contractor.”

vi. Attachment F—Contractor Responsibility Provisions, with respect to which the Grantee is the “Contractor.”

vii. Attachment G—Project Proposal and Grant Application.

b. The Grantee shall comply with all the terms, conditions and requirements set forth in the competitive grant solicitation (“RFP”) posted on [Date] at [___ PaB. ___], which is incorporated by reference into this Grant Agreement as if fully set forth herein.

c. The Grantee agrees that in the performance of its obligations under this Grant Agreement it will comply with all applicable, federal, state and local laws and regulations. The Grantee expressly warrants that, as it relates to the performance of the Project that is the subject of this Grant Agreement, it shall at all times

comply with the Pennsylvania Liquor Code, 47 P.S. § 1-101 et seq., and the PLCB's Regulations, 40 Pa. Code § 1.1 et seq.

d. Any forbearance by the PLCB in exercising any right or remedy hereunder or as otherwise afforded by applicable law shall not be a waiver of or preclude the exercise of any such right or remedy at any appropriate time.

e. The Grantee shall, in the performance of this Grant Agreement, act in an independent capacity and not as an officer, employee or agent of the PLCB or of the Commonwealth of Pennsylvania.

10. STATE TAX LIABILITY. The Grantee agrees that the Commonwealth of Pennsylvania may set-off the amount of any state tax liability or other debt of the Grantee or its subsidiaries, that is owed to the Commonwealth and not being contested on appeal, against any payments due the Grantee under this Grant Agreement.

11. TERMINATION AND ASSIGNMENT. If through any cause, the Grantee shall fail to fulfill in a timely and proper manner its obligations under this Grant Agreement, or in the event of violation of any of the covenants contained in this Grant Agreement, the PLCB thereupon has the right to terminate this Grant Agreement by giving thirty days written notice to the Grantee specifying the effective date of termination. If this Grant Agreement is so terminated, the Grantee shall be reimbursed for all expenses properly incurred under the terms of this Grant Agreement prior to receipt of notice, so long as Grantee properly submits valid invoices with supporting documentation within sixty days of the notice of termination. Failure by Grantee to timely submit final invoicing shall be considered a forfeiture of any claims to Grant funding. The Grantee shall not assign any interest to this Contract, nor shall any interest be transferred by novation or assignment without prior written consent of PLCB.

12. SEVERABILITY. The terms and provisions of this Grant Agreement are severable. In the event of the unenforceability or invalidity of any one or more of the terms, covenants, conditions or provisions of this Grant Agreement under federal, state or other applicable laws, such unenforceability or invalidity shall not render any other term, covenant, condition or provision hereof unenforceable or invalid.

13. ENTIRE AGREEMENT. This Grant Agreement constitutes the entire agreement between the parties. No amendment or modification hereof shall have any force or effect unless it is in writing and signed by all parties.

14. CONTINGENCY. The PLCB's obligation to make payments shall be subject to the availability and appropriation of funds.

15. APPLICABLE LAW. This Grant Agreement shall be governed by and interpreted and enforced in accordance with the laws of the Commonwealth of Pennsylvania (without regard to any conflict of laws provisions) and the decisions of the Pennsylvania courts. The Grantee consents to the jurisdiction of any court of the Commonwealth of Pennsylvania and any federal courts in Pennsylvania, waiving any claim or defense that such forum is not convenient or proper. The Grantee agrees that any such court shall have in personam jurisdiction over it, and consents to service of process in any manner authorized by Pennsylvania law.

16. HEADINGS. All headings of the sections and subsections of this Agreement are inserted for convenience only and shall not affect any construction or interpretation of this Agreement.

IN WITNESS WHEREOF, the Parties hereto, with the intention of being legally bound hereby and each signatory having the requisite legal authority to bind its respective entity, have caused this Grant Agreement to be duly executed. If the signature below is submitted electronically or digitally, the signatory hereby expressly acknowledges and avers that he or she is the named individual and that he or she intends to sign this Grant Agreement document electronically or digitally.

[GRANTEE]

NAME: _____

Title:

PENNSYLVANIA LIQUOR CONTROL BOARD

Michael Demko, Executive Director

APPROVED AS TO FORM AND LEGALITY:

Rodrigo J. Diaz, PLCB CHIEF COUNSEL

OFFICE OF THE ATTORNEY GENERAL DATE

APPROVED:

COMPROLLER

Attachment A

PENNSYLVANIA ELECTRONIC PAYMENT PROGRAM

a. The Commonwealth may make contract payments through ACH, upon your election. If you so elect, within 10 days of the Grant award, the recipient must submit or must have already submitted its ACH and electronic addenda information, if desired, to the commonwealth's Payable Service Center, Vendor Data Management Unit at 717-214-0140 (FAX) or by mail to the Office of Comptroller Operations, Bureau of Payable Services, Payable Service Center, Vendor Data Management Unit, 555 Walnut Street—9th Floor, Harrisburg, PA 17101. Electronic PEPP enrollment form is available at www.vendorregistration.state.pa.us/cvmu/paper/Forms/ACH-EFTenrollmentform.pdf

b. The recipient must submit a unique invoice number with each invoice submitted. The unique invoice number will be listed on the Commonwealth of Pennsylvania's ACH remittance advice to enable the recipient to properly apply the state agency's payment to the respective invoice or program.

c. It is the responsibility of the recipient to ensure that the ACH information contained in the commonwealth's central vendor master file is accurate and complete. Failure to maintain accurate and complete information may result in delays in payments.

Attachment B

NONDISCRIMINATION/SEXUAL HARASSMENT CLAUSE (Grants)

The Grantee agrees:

1. In the hiring of any employee(s) for the manufacture of supplies, performance of work, or any other activity

required under the Grant Agreement or any subgrant agreement, contract, or subcontract, the Grantee, a subgrantee, a contractor, a subcontractor, or any person acting on behalf of the Grantee shall not discriminate by reason of race, gender, creed, color, sexual orientation, gender identity or expression, or in violation of the Pennsylvania Human Relations Act (PHRA) and applicable federal laws, against any citizen of this Commonwealth who is qualified and available to perform the work to which the employment relates.

2. The Grantee, any subgrantee, contractor or any subcontractor or any person on their behalf shall not in any manner discriminate by reason of race, gender, creed, color, sexual orientation, gender identity or expression, or in violation of the PHRA and applicable federal laws, against or intimidate any of its employees.

3. Neither the Grantee nor any subgrantee nor any contractor nor any subcontractor nor any person on their behalf shall in any manner discriminate by reason of race, gender, creed, color, sexual orientation, gender identity or expression, or in violation of the PHRA and applicable federal laws, in the provision of services under the Grant agreement, subgrant agreement, contract or subcontract.

4. Neither the Grantee nor any subgrantee nor any contractor nor any subcontractor nor any person on their behalf shall in any manner discriminate against employees by reason of participation in or decision to refrain from participating in labor activities protected under the Public Employee Relations Act, Pennsylvania Labor Relations Act or National Labor Relations Act, as applicable and to the extent determined by entities charged with such Acts' enforcement, and shall comply with any provision of law establishing organizations as employees' exclusive representatives.

5. The Grantee, any subgrantee, contractor or any subcontractor shall establish and maintain a written nondiscrimination and sexual harassment policy and shall inform their employees in writing of the policy. The policy must contain a provision that sexual harassment will not be tolerated and employees who practice it will be disciplined. Posting this Nondiscrimination/Sexual Harassment Clause conspicuously in easily accessible and well-lighted places customarily frequented by employees and at or near where the Grant services are performed shall satisfy this requirement for employees with an established work site.

6. The Grantee, any subgrantee, contractor or any subcontractor shall not discriminate by reason of race, gender, creed, color, sexual orientation, gender identity or expression, or in violation of the PHRA and applicable federal laws, against any subgrantee, contractor, subcontractor or supplier who is qualified to perform the work to which the Grant relates.

7. The Grantee and each subgrantee, contractor and subcontractor represents that it is presently in compliance with and will maintain compliance with all applicable federal, state, and local laws and regulations relating to nondiscrimination and sexual harassment. The Grantee and each subgrantee, contractor and subcontractor further represents that it has filed a Standard Form 100 Employer Information Report ("EEO-1") with the U.S. Equal Employment Opportunity Commission ("EEOC") and shall file an annual EEO-1 report with the EEOC as required for employers' subject to Title VII of the Civil Rights Act of 1964, as amended, that have 100 or more employees and employers that have federal government

contracts or first-tier subcontracts and have 50 or more employees. The Grantee, any subgrantee, any contractor or any subcontractor shall, upon request and within the time periods requested by the Commonwealth, furnish all necessary employment documents and records, including EEO-1 reports, and permit access to their books, records, and accounts by the granting agency and the Bureau of Diversity, Inclusion and Small Business Opportunities for the purpose of ascertaining compliance with the provisions of this Nondiscrimination/Sexual Harassment Clause.

8. The Grantee, any subgrantee, contractor or any subcontractor shall include the provisions of this Nondiscrimination/Sexual Harassment Clause in every subgrant agreement, contract or subcontract so that those provisions applicable to subgrantees, contractors or subcontractors will be binding upon each subgrantee, contractor or subcontractor.

9. The Grantor's and each subgrantee's, contractor's and subcontractor's obligations pursuant to these provisions are ongoing from and after the effective date of the Grant agreement through the termination date thereof. Accordingly, the Grantee and each subgrantee, contractor and subcontractor shall have an obligation to inform the Commonwealth if, at any time during the term of the Grant agreement, it becomes aware of any actions or occurrences that would result in violation of these provisions.

10. The Commonwealth may cancel or terminate the Grant agreement and all money due or to become due under the Grant agreement may be forfeited for a violation of the terms and conditions of this Nondiscrimination/Sexual Harassment Clause. In addition, the granting agency may proceed with debarment or suspension and may place the Grantee, subgrantee, contractor, or subcontractor in the Contractor Responsibility File.

Attachment C

CONTRACTOR INTEGRITY PROVISIONS

It is essential that those who seek to contract with the Commonwealth of Pennsylvania ("Commonwealth") observe high standards of honesty and integrity. They must conduct themselves in a manner that fosters public confidence in the integrity of the Commonwealth contracting and procurement process.

1. **DEFINITIONS.** For purposes of these Contractor Integrity Provisions, the following terms shall have the meanings found in this Section:

a. **"Affiliate"** means two or more entities where (a) a parent entity owns more than fifty percent of the voting stock of each of the entities; or (b) a common shareholder or group of shareholders owns more than fifty percent of the voting stock of each of the entities; or (c) the entities have a common proprietor or general partner.

b. **"Consent"** means written permission signed by a duly authorized officer or employee of the Commonwealth, provided that where the material facts have been disclosed, in writing, by prequalification, bid, proposal, or contractual terms, the Commonwealth shall be deemed to have consented by virtue of the execution of this contract.

c. **"Contractor"** means the individual or entity, that has entered into this contract with the Commonwealth.

d. **“Contractor Related Parties”** means any affiliates of the Contractor and the Contractor’s executive officers, Pennsylvania officers and directors, or owners of 5 percent or more interest in the Contractor.

e. **“Financial Interest”** means either:

(1) Ownership of more than a five percent interest in any business; or

(2) Holding a position as an officer, director, trustee, partner, employee, or holding any position of management.

f. **“Gratuity”** means tendering, giving, or providing anything of more than nominal monetary value including, but not limited to, cash, travel, entertainment, gifts, meals, lodging, loans, subscriptions, advances, deposits of money, services, employment, or contracts of any kind. The exceptions set forth in the Governor’s Code of Conduct, Executive Order 1980-18, the 4 Pa. Code § 7.153(b), shall apply.

g. **“Non-bid Basis”** means a contract awarded or executed by the Commonwealth with Contractor without seeking bids or proposals from any other potential bidder or offeror.

2. In furtherance of this policy, Contractor agrees to the following:

a. Contractor shall maintain the highest standards of honesty and integrity during the performance of this contract and shall take no action in violation of state or federal laws or regulations or any other applicable laws or regulations, or other requirements applicable to Contractor or that govern contracting or procurement with the Commonwealth.

b. Contractor shall establish and implement a written business integrity policy, which includes, at a minimum, the requirements of these provisions as they relate to the Contractor activity with the Commonwealth and Commonwealth employees and which is made known to all Contractor employees. Posting these Contractor Integrity Provisions conspicuously in easily accessible and well-lit places customarily frequented by employees and at or near where the contract services are performed shall satisfy this requirement.

c. Contractor, its affiliates, agents, employees and anyone in privity with Contractor shall not accept, agree to give, offer, confer, or agree to confer or promise to confer, directly or indirectly, any gratuity or pecuniary benefit to any person, or to influence or attempt to influence any person in violation of any federal or state law, regulation, executive order of the Governor of Pennsylvania, statement of policy, management directive or any other published standard of the Commonwealth in connection with performance of work under this contract, except as provided in this contract.

d. Contractor shall not have a financial interest in any other contractor, subcontractor, or supplier providing services, labor, or material under this contract, unless the financial interest is disclosed to the Commonwealth in writing and the Commonwealth consents to Contractor’s financial interest prior to Commonwealth execution of the contract. Contractor shall disclose the financial interest to the Commonwealth at the time of bid or proposal submission, or if no bids or proposals are solicited, no later than Contractor’s submission of the contract signed by Contractor.

e. Contractor certifies to the best of its knowledge and belief that within the last five (5) years Contractor or Contractor Related Parties have not:

(1) been indicted or convicted of a crime involving moral turpitude or business honesty or integrity in any jurisdiction;

(2) been suspended, debarred or otherwise disqualified from entering into any contract with any governmental agency;

(3) had any business license or professional license suspended or revoked;

(4) had any sanction or finding of fact imposed as a result of a judicial or administrative proceeding related to fraud, extortion, bribery, bid rigging, embezzlement, misrepresentation or anti-trust; and

(5) been, and is not currently, the subject of a criminal investigation by any federal, state or local prosecuting or investigative agency and/or civil anti-trust investigation by any federal, state or local prosecuting or investigative agency.

If Contractor cannot so certify to the above, then it must submit along with its bid, proposal or contract a written explanation of why such certification cannot be made and the Commonwealth will determine whether a contract may be entered into with the Contractor. The Contractor’s obligation pursuant to this certification is ongoing from and after the effective date of the contract through the termination date thereof. Accordingly, the Contractor shall have an obligation to immediately notify the Commonwealth in writing if at any time during the term of the contract if becomes aware of any event which would cause the Contractor’s certification or explanation to change. Contractor acknowledges that the Commonwealth may, in its sole discretion, terminate the contract for cause if it learns that any of the certifications made herein are currently false due to intervening factual circumstances or were false or should have been known to be false when entering into the contract.

f. Contractor shall comply with the requirements of the Lobbying Disclosure Act (65 Pa.C.S. § 13A01 et seq.) regardless of the method of award. If this contract was awarded on a Non-bid Basis, Contractor must also comply with the requirements of the Section 1641 of the Pennsylvania Election Code (25 P.S. § 3260a).

g. When Contractor has reason to believe that any breach of ethical standards as set forth in law, the Governor’s Code of Conduct, or these Contractor Integrity Provisions has occurred or may occur, including but not limited to contact by a Commonwealth officer or employee which, if acted upon, would violate such ethical standards, Contractor shall immediately notify the Commonwealth contracting officer or the Office of the State Inspector General in writing.

h. Contractor, by submission of its bid or proposal and/or execution of this contract and by the submission of any bills, invoices or requests for payment pursuant to the contract, certifies and represents that it has not violated any of these Contractor Integrity Provisions in connection with the submission of the bid or proposal, during any contract negotiations or during the term of

the contract, to include any extensions thereof. Contractor shall immediately notify the Commonwealth in writing of any actions for occurrences that would result in a violation of these Contractor Integrity Provisions. Contractor agrees to reimburse the Commonwealth for the reasonable costs of investigation incurred by the Office of the State Inspector General for investigations of the Contractor's compliance with the terms of this or any other agreement between the Contractor and the Commonwealth that results in the suspension or debarment of the Contractor. Contractor shall not be responsible for investigative costs for investigations that do not result in the Contractor's suspension or debarment.

i. Contractor shall cooperate with the Office of the State Inspector General in its investigation of any alleged Commonwealth agency or employee breach of ethical standards and any alleged Contractor non-compliance with these Contractor Integrity Provisions. Contractor agrees to make identified Contractor employees available for interviews at reasonable times and places. Contractor, upon the inquiry or request of an Inspector General, shall provide, or if appropriate, make promptly available for inspection or copying, any information of any type or form deemed relevant by the Office of the State Inspector General to Contractor's integrity and compliance with these provisions. Such information may include, but shall not be limited to, Contractor's business or financial records, documents or files of any type or form that refer to or concern this contract. Contractor shall incorporate this paragraph in any agreement, contract or subcontract it enters into in the course of the performance of this contract/agreement solely for the purpose of obtaining subcontractor compliance with this provision. The incorporation of this provision in a subcontract shall not create privity of contract between the Commonwealth and any such subcontractor, and no third-party beneficiaries shall be created thereby.

j. For violation of any of these Contractor Integrity Provisions, the Commonwealth may terminate this and any other contract with Contractor, claim liquidated damages in an amount equal to the value of anything received in breach of these Provisions, claim damages for all additional costs and expenses incurred in obtaining another contractor to complete performance under this contract, and debar and suspend Contractor from doing business with the Commonwealth. These rights and remedies are cumulative, and the use or non-use of any one shall not preclude the use of all or any other. These rights and remedies are in addition to those the Commonwealth may have under law, statute, regulation, or otherwise.

Attachment D

AMERICANS WITH DISABILITIES ACT

a. Pursuant to federal regulations promulgated under the authority of The Americans with Disabilities Act, 28 C.F.R. § 35.101 et seq., the contractor understands and agrees that it shall not cause any person with a disability to be excluded from participation in this Contract or from activities provided for under this Contract on the basis of the disability. As a condition of accepting this contract, the Contractor agrees to comply with the "General Prohibitions Against Discrimination," 28 C.F.R. § 35.130, and all other regulations promulgated under Title II of The Americans with Disabilities Act which are applicable to the benefits, services, programs, and activities provided by the Commonwealth of Pennsylvania through contracts with outside contractors.

b. The Contractor shall be responsible for and agrees to indemnify and hold harmless the Commonwealth of Pennsylvania from all losses, damages, expenses, claims, demands, suits, and actions brought by any party against the Commonwealth of Pennsylvania as a result of the Contractor's failure to comply with the provisions of subparagraph (a) above.

Attachment E

RIGHT TO KNOW LAW— GRANT PROVISIONS—8-K-1580

a. Grantee or Subgrantee understands that this Grant Agreement and records related to or arising out of the Grant Agreement are subject to requests made pursuant to the Pennsylvania Right-to-Know Law, 65 P.S. §§ 67.101-3104, ("RTKL"). For the purpose of these provisions, the term "the Commonwealth" shall refer to the granting Commonwealth agency.

b. If the Commonwealth needs the Grantee's or Subgrantee's assistance in any matter arising out of the RTKL related to this Grant Agreement, it shall notify the Grantee of Subgrantee using the legal contact information provided in the Grant Agreement. The Grantee or Subgrantee, at any time, may designate a different contact for such purpose upon reasonable prior written notice to the Commonwealth.

c. Upon written notification from the Commonwealth that it requires Grantee's or Subgrantee's assistance in responding to a request under the RTKL for information related to this Grant Agreement that may be in Grantee's or Subgrantee's possession, constituting, or alleged to constitute, a public record in accordance with the RTKL ("Requested Information"), Grantee or Subgrantee shall:

1. Provide the commonwealth, within ten (10) calendar days after receipt of written notification, access to, and copies of, any document or information in Grantee's or Subgrantee's possession arising out of this Grant Agreement that the Commonwealth reasonably believes is Requested Information and may be a public record under the RTKL; and

2. Provide such other assistance as the Commonwealth may reasonably request, in order to comply with the RTKL with respect to this Grant Agreement.

d. If Grantee or Subgrantee considers the Requested Information to include a request for a Trade Secret or Confidential Proprietary Information, as those terms are defined by the RTKL, or other information that Grantee or Subgrantee considers exempt from production under the RTKL, Grantee or Subgrantee must notify the Commonwealth and provide, within seven (7) calendar days of receiving the written notification, a written statement signed by a representative of Grantee or Subgrantee explaining why the requested material is exempt from public disclosure under the RTKL.

e. The Commonwealth will rely upon the written statement from Grantee or Subgrantee in denying a RTKL request for the Requested Information unless the Commonwealth determines that the Requested Information is clearly not protected from disclosure under the RTKL. Should the commonwealth determine that the Requested Information is clearly not exempt from disclosure, Grantee or Subgrantee shall provide the Requested Information within five (5) business days of receipt of written notice of the Commonwealth's determination.

f. If Grantee or Subgrantee fails to provide the Requested Information within the time period required by these provisions, Grantee or Subgrantee shall indemnify and hold the Commonwealth harmless for any damages, penalties, costs, detriment or harm that the Commonwealth may incur as a result of Grantee's or Subgrantee's failure, including any statutory damages assessed against the Commonwealth.

g. The Commonwealth will reimburse Grantee or Subgrantee for any costs associated with complying with these provisions only to the extent allowed under the fee schedule established by the Office of Open Records or as otherwise provided by the RTKL if the fee schedule is inapplicable.

h. Grantee or Subgrantee may file a legal challenge to any Commonwealth decision to release a record to the public with the Office of Open Records, or in the Pennsylvania Courts, however, Grantee or Subgrantee shall indemnify the Commonwealth for any legal expenses incurred by the Commonwealth as a result of such a challenge and shall hold the Commonwealth harmless for any damages, penalties, costs, detriment or harm that the Commonwealth may incur as a result of Grantee's or Subgrantee's failure, including any statutory damages assessed against the Commonwealth, regardless of the outcome of such legal challenge. As between the parties, Grantee or Subgrantee agrees to waive all rights or remedies that may be available to it as a result of the Commonwealth's disclosure of Requested Information pursuant to the RTKL.

i. The Grantee's or Subgrantee's duties relating to the RTKL are continuing duties that survive the expiration of this Grant Agreement and shall continue as long as the Grantee or Subgrantee has Requested Information in its possession.

Attachment F

Contractor Responsibility Provisions

For the purpose of these provisions, the term contractor is defined as any person, including, but not limited to, a bidder, offeror, loan recipient, Grantee or lessor, who has furnished or performed or seeks to furnish or perform, goods, supplies, services, leased space, construction or other activity, under a contract, grant, lease, purchase order or reimbursement agreement with the Commonwealth of Pennsylvania (Commonwealth). The term contractor includes a permittee, licensee, or any agency, political subdivision, instrumentality, public authority, or other public entity in the Commonwealth.

1. The Contractor certifies, in writing, for itself and its subcontractors required to be disclosed or approved by the

Commonwealth, that as of the date of its execution of this Bid/Contract, that neither the Contractor, nor any such subcontractors, are under suspension or debarment by the Commonwealth or any governmental entity, instrumentality, or authority and, if the Contractor cannot so certify, then it agrees to submit, along with its Bid/Contract, a written explanation of why such certification cannot be made.

2. The Contractor also certifies, in writing, that as of the date of its execution of this Bid/Contract it has no tax liabilities or other Commonwealth obligations, or has filed a timely administrative or judicial appeal if such liabilities or obligations exist, or is subject to a duly approved deferred payment plan if such liabilities exist.

3. The Contractor's obligations pursuant to these provisions are ongoing from and after the effective date of the Contract through the termination date thereof. Accordingly, the Contractor shall have an obligation to inform the Commonwealth if, at any time during the term of the Contract, it becomes delinquent in the payment of taxes, or other Commonwealth obligations, or if it or, to the best knowledge of the Contractor, any of its subcontractors are suspended or debarred by the Commonwealth, the federal government, or any other state or governmental entity. Such notification shall be made within 15 days of the date of suspension or debarment.

4. The failure of the Contractor to notify the Commonwealth of its suspension or debarment by the Commonwealth, any other state, or the federal government shall constitute an event of default of the Contract with the Commonwealth.

5. The Contractor agrees to reimburse the Commonwealth for the reasonable costs of investigation incurred by the Office of State Inspector General for investigations of the Contractor's compliance with the terms of this or any other agreement between the Contractor and the Commonwealth that results in the suspension or debarment of the contractor. Such costs shall include, but shall not be limited to, salaries of investigators, including overtime; travel and lodging expenses; and expert witness and documentary fees. The Contractor shall not be responsible for investigative costs for investigations that do not result in the Contractor's suspension or debarment.

6. The Contractor may search the current list of suspended and debarred Commonwealth contractors by visiting the eMarketplace website at <http://www.emarketplace.state.pa.us> and clicking the Debarment List tab.

[Pa.B. Doc. No. 23-14. Filed for public inspection January 6, 2023, 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 December 27, 2022.

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

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
12-20-2022	Traditions Bank York York County	2160 State Road Lancaster Lancaster County	Filed

Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
12-17-2022	Washington Financial Bank Washington Washington County	1803 Main Street Burgettstown Washington County	Closed

CREDIT UNIONS

No activity.

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

RICHARD VAGUE,
Secretary

[Pa.B. Doc. No. 23-15. Filed for public inspection January 6, 2023, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION**Applications, Actions and Special Notices****APPLICATIONS****THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT****APPLICATIONS FOR NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS UNDER THE CLEAN STREAMS LAW AND FEDERAL CLEAN WATER ACT**

This notice provides information about persons who have applied to the Department of Environmental Protection (DEP) for a new, renewed, or amended NPDES or WQM permit, or a permit waiver for certain stormwater discharges, or have submitted a Notice of Intent (NOI) for coverage under a General Permit. The applications and NOIs concern, but are not limited to, effluent discharges from sewage treatment facilities and industrial facilities to surface waters or groundwater; stormwater discharges associated with industrial activity (industrial stormwater), construction activity (construction stormwater), and municipal separate storm sewer systems (MS4s); the application of pesticides; the operation of Concentrated Animal Feeding Operations (CAFOs); and the construction of sewage, industrial waste, and manure storage, collection and treatment facilities. 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). More information on the types of NPDES and WQM permits that are available can be found on DEP's website (visit www.dep.pa.gov and select Businesses, Water, Bureau of Clean Water, Wastewater Management, and NPDES and WQM Permitting Programs).

<i>Section</i>	<i>Category</i>
I	Individual and General WQM Permit Applications/NOIs Received, General NPDES Permit NOIs Received, and All Transfer and Minor Amendment Applications/NOIs Received
II	Individual NPDES Permits—New, Renewal, and Major Amendment Applications and Draft Permits for Discharges Relating to Sewage, Industrial Waste, Industrial Stormwater, MS4s, Pesticides and CAFOs
III	Individual NPDES Permit Applications for Discharges of Stormwater Associated with Construction Activity

Section I identifies the following applications and NOIs that have been received by DEP:

- Individual and General WQM Permit Applications Received—DEP provides a 15-day public comment period for Individual WQM Permit Applications for new and reissued permits. There is no public comment period for General WQM Permit NOIs.
- General Chapter 92a NPDES Permit NOIs Received—There is no public comment period for General NPDES NOIs received.

- All Transfer and Minor Amendment Applications/NOIs Received—Transfer and Minor Amendment Applications/NOIs received for Individual and General WQM Permits and Individual and General NPDES Permits, excluding PAG-01 and PAG-02, are identified but do not have public comment periods. DEP provides a 15-day public comment period for Individual WQM Permit Applications for amendments.

Additional information on these applications and NOIs may be reviewed by generating the “Applications and NOIs without Comment Periods Report” or, for Individual WQM Permit Applications, the “Applications Received with Comment Periods Report” on DEP’s website at www.dep.pa.gov/CWPUBLICNOTICE.

Section II identifies individual NPDES permit applications received and draft permits indicating DEP’s tentative determination relating to sewage, industrial waste, industrial stormwater, MS4s, pesticides and CAFOs. A 30-day public comment period applies to these applications and draft permits, except when a site-specific water quality criterion is used to establish effluent limitations, in which case a 45-day public comment period applies. The period for comment may be extended at the discretion of DEP for one additional 15-day period. Additional information, including links to draft permits and fact sheets that explain the basis for DEP’s tentative determinations may be reviewed by generating the “Applications Received with Comment Periods Report” on DEP’s website at www.dep.pa.gov/CWPUBLICNOTICE. Notification of 15-day extensions for comment will be provided in the “Applications Received with Comment Periods Report” (Comments column).

Section III provides notice of applications and draft individual permits for stormwater discharges associated with construction activities. Where indicated, DEP has made tentative determinations, based on preliminary review, to issue permits subject to proposed effluent limitations consisting of best management practices identified in the erosion and sediment control (E&S) plans and post-construction stormwater management (PCSM) plans submitted with the applications, as well as other terms and conditions based on the permit applications. A 30-day public comment period applies to these applications.

Applications, NOIs and draft permits, where applicable, may be reviewed at the DEP office that received the application or NOI. Members of the public are encouraged to use DEP’s website to obtain additional information as previously discussed.

Comments received within the appropriate comment periods for WQM and NPDES permit applications will be retained by DEP and 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 DEP of the exact basis of a comment and the relevant facts upon which it is based.

DEP office contact information to review applications and NOIs and to submit comments for those applications, when applicable, is as follows:

DEP Southeast Regional Office (SERO)—2 E. Main Street, Norristown, PA 19401-4915. File Review Coordinator: 484-250-5910. Email: RA-EPNPDES_SERO@pa.gov for permits in Sections I & II; RA-EPWW-SERO@pa.gov for permits in Section III.

DEP Northeast Regional Office (NERO)—2 Public Square, Wilkes-Barre, PA 18701-1915. File Review Coordinator: 570-826-5472. Email: RA-EPNPDES_NERO@pa.gov for permits in Sections I & II; RA-EPWW-NERO@pa.gov for permits in Section III.

DEP Southcentral Regional Office (SCRO)—909 Elmerton Avenue, Harrisburg, PA 17110. File Review Coordinator: 717-705-4732. Email: RA-EPNPDES_SCRO@pa.gov for permits in Sections I & II; RA-EPWW-SCRO@pa.gov for permits in Section III.

DEP Northcentral Regional Office (NCRO)—208 W. Third Street, Suite 101, Williamsport, PA 17701. File Review Coordinator: 570-327-3693. Email: RA-EPNPDES_NCRO@pa.gov for permits in Sections I & II; RA-EPWW-NCRO@pa.gov for permits in Section III.

DEP Southwest Regional Office (SWRO)—400 Waterfront Drive, Pittsburgh, PA 15222. File Review Coordinator: 412-442-4286. Email: RA-EPNPDES_SWRO@pa.gov for permits in Sections I & II; RA-EPWW-SWRO@pa.gov for permits in Section III.

DEP Northwest Regional Office (NWRO)—230 Chestnut Street, Meadville, PA 16335. File Review Coordinator: 814-332-6078. Email: RA-EPNPDES_NWRO@pa.gov for permits in Sections I & II; RA-EPWW-NWRO@pa.gov for permits in Section III.

DEP Bureau of Clean Water (BCW)—400 Market Street, Harrisburg, PA 17105. File Review Coordinator: 717-787-5017. Email: RA-EPNPDES_Permits@pa.gov.

DEP Regional Permit Coordination Office (RPCO)—400 Market Street, Harrisburg, PA 17105. File Review Coordinator: 717-772-5987. Email: RA-EPREGIONALPERMIT@pa.gov.

DEP will also accept requests or petitions for public hearings on applications. The request or petition must indicate the interest of the party filing and the reasons why a hearing is warranted. A hearing will be held if DEP determines that there is a significant public interest. 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. DEP will postpone its final determination until after a public hearing is held.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

I. Individual and General WQM Permit Applications/NOIs Received, General NPDES Permit NOIs Received, and All Transfer and Minor Amendment Applications/NOIs Received.

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
0922817	Joint DEP/PFBC Pesticides Permit	New	Luciano Inna 4280 Erica Drive Doylestown, PA 18902-1793	Doylestown Borough Bucks County	SERO
PA0026557	Major Sewage Facility with CSOs Individual NPDES Permit	DEP-Initiated Minor Amendment	Sunbury City Municipal Authority Northumberland County 462 S. 4th Street Sunbury, PA 17801-3134	Sunbury City Northumberland County	NCRO
6172412	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Fred C Berlin, LLC 6101 Park Road Berwick, PA 18603-5713	Cranberry Township Venango County	NWRO
NNOEXNC48	No Exposure Certification	Renewal	USPS Williamsport Garage 2901 Reach Road Williamsport, PA 17701-0800	Williamsport City Lycoming County	NCRO
NNOEXNC50	No Exposure Certification	Renewal	Restek Corp 110 Benner Circle Bellefonte, PA 16823-8433	Benner Township Centre County	NCRO
NOEXNW179	No Exposure Certification	Renewal	Osram Sylvania, Inc. 816 Lexington Avenue Warren, PA 16365-2834	Warren City Warren County	NWRO
NOEXSC180	No Exposure Certification	Renewal	Stryten Lampeter, LLC 829 Paramount Avenue Lancaster, PA 17602-1733	West Lampeter Township Lancaster County	SCRO
NOEXSE019	No Exposure Certification	Renewal	Ferro Corp 416 E Church Road King of Prussia, PA 19406-2625	Upper Merion Township Montgomery County	SERO
NOEXSE308	No Exposure Certification	Renewal	USPS 1000 W Valley Road Southeastern, PA 19399-9000	Tredyffrin Township Chester County	SERO
NOEXSW190	No Exposure Certification	Transfer	Shinagawa Specialty Ceramics American 4702 State Route 982 Latrobe, PA 15650-3280	Derry Township Westmoreland County	SWRO
PAG044969	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Jeffrey D & Tara L Stauffer 278 Eckroth Road Bloomsburg, PA 17815-7004	North Centre Township Columbia County	NCRO
PAG045066	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Decker John C 108 Shangri Lane Port Matilda, PA 16870-8200	Worth Township Centre County	NCRO
PAG133663	PAG-13 NPDES General Permit for MS4s	Renewal	Blair County 423 Allegheny Street Hollidaysburg, PA 16648	Hollidaysburg Borough Blair County	SCRO
1499402	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Decker John C 108 Shangri Lane Port Matilda, PA 16870-8200	Worth Township Centre County	NCRO
1986401	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Jeffrey D and Tara L Stauffer 278 Eckroth Road Bloomsburg, PA 17815-7004	North Centre Township Columbia County	NCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
2522442	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Deborah and Michael Dudenhoefer 5743 Obed Heights Drive Edinboro, PA 16412-4005	Union Township Erie County	NWRO
4322410	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Larsen Paula 558 Clay Furnace Road Sharpsville, PA 16150-3402	Clark Borough Mercer County	NWRO
1003415	Small Flow Treatment Facility Individual WQM Permit	Transfer	Michaels Restaurant Motel & Sports Bar, Inc. 970 New Castle Road Butler, PA 16001-8306	Franklin Township Butler County	NWRO
WQG02632202	WQG-02 WQM General Permit	Amendment	Peters Township Sanitary Authority Washington County 3300 Preble Avenue Pittsburgh, PA 15233-1025	Pittsburgh City Allegheny County	SWRO

II. Individual NPDES Permits—New, Renewal, and Major Amendment Applications and Draft Permits for Discharges Relating to Sewage, Industrial Waste, Industrial Stormwater, MS4s, Pesticides and CAFOs.

Northcentral Regional Office.

PA0026310, Sewage, SIC Code 4952, **Clearfield Municipal Authority**, 107 E Market Street, Clearfield, PA 16830-2405. Facility Name: Clearfield Municipal Sewer System. This existing facility is located in Lawrence Township, **Clearfield County**.

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

The receiving stream(s), West Branch Susquehanna River (WWF) and Montgomery Creek (CWF), is located in State Water Plan watershed 8-C and 8-B and is classified for Warm Water Fishes and Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 4.5 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Report Daily Min	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25	40	50
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids Fecal Coliform	XXX	XXX	XXX	30	45	60
Oct 1—Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1—Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	Geo Mean Report Daily Max	XXX	XXX
Ultraviolet light intensity (mw/cm ²)	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs) Effluent Net	Report Total Mo	XXX	XXX	XXX	XXX	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Nitrogen (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen Oct 1—Apr 30	Report	Report	XXX	Report	Report	XXX
Ammonia-Nitrogen May 1—Sep 30	162	271	XXX	24.0	36.0	48
Ammonia-Nitrogen (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	Total Mo	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	Total Mo	XXX	XXX	Report	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Effluent Net	Total Mo	XXX	XXX	XXX	XXX	XXX
Aluminum, Total	XXX	XXX	XXX	Report	XXX	XXX
Copper, Total	XXX	XXX	XXX	Daily Max	XXX	XXX
Mercury, Total	XXX	XXX	XXX	Report	XXX	XXX
Zinc, Total	XXX	XXX	XXX	Daily Max	XXX	XXX
Iron, Total	XXX	XXX	XXX	Report	XXX	XXX
Manganese, Total	XXX	XXX	XXX	Daily Max	XXX	XXX
				Report	XXX	XXX
				Daily Max		

The proposed monitoring requirements and effluent limits for implementation of Pennsylvania’s Chesapeake Bay Watershed Implementation Plan are as follows for Outfall 001.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Monthly</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>	
Total Nitrogen (Total Load, lbs) (lbs)	XXX	Report	XXX	XXX	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	XXX	Total Annual	XXX	XXX	XXX	XXX
Effluent Net		Total Annual				
Ammonia-Nitrogen (Total Load, lbs) (lbs)	XXX	Report	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	XXX	Total Annual	XXX	XXX	XXX	XXX
Effluent Net		Total Annual				
Total Phosphorus (Total Load, lbs) (lbs)	XXX	Report	XXX	XXX	XXX	XXX
		Total Annual				

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

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

- WET Testing Requirements
- Stormwater Requirements
- Chesapeake Bay Requirements
- CSO Requirements

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

The EPA Waiver is not in effect.

Northeast Regional Office.

PA0026042, Sewage, SIC Code 4952, **Bethlehem City Northampton County**, 10 East Church Street, Bethlehem, PA 18018. Facility Name: Bethlehem City STP & Sewer System. This existing facility is located in Bethlehem City, **Northampton County**.

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

The receiving stream(s), Saucon Creek (CWF, MF) and Lehigh River (WWF, MF), is located in State Water Plan watershed 2-C and is classified for Migratory Fishes, Cold Water Fishes, and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 20 MGD.—Interim Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Dissolved Oxygen	XXX	XXX	Report Inst Min	XXX	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 20 MGD.—Final Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Dissolved Oxygen	XXX	XXX	4.0 Inst Min	XXX	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 20 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.50	XXX	1.20
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	4,170	6,672	XXX	25.0	40.0	50.0
CBOD ₅	85	XXX	XXX	XXX	XXX	XXX
Minimum % Removal (%)	Min Mo Avg					
Total Suspended Solids	5,004	7,506	XXX	30.0	45.0	60.0
Total Suspended Solids	Report	XXX	XXX	XXX	XXX	XXX
Minimum % Removal (%)	Min Mo Avg					
Fecal Coliform (No./100 ml)						
Oct 1—Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1—Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1—Apr 30	2,502	Report	XXX	15.0	30.0	30.0
May 1—Oct 31	834	Report	XXX	5.0	10.0	10.0
Nitrate as N	Report	XXX	XXX	Report	Report	XXX
Nitrite as N	Report	XXX	XXX	Report	Report	XXX
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	Report	XXX
Total Phosphorus	Report	XXX	XXX	Report	Report	XXX
Cadmium, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
Chromium, Hexavalent (ug/L)	Report	Report	XXX	Report	Report	XXX
Copper, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
Zinc, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
Phenol (ug/L)	Report	Report	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 20 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
PCBs, Total (ug/L)	Report Annl Avg	Report	XXX	Report Annl Avg	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 20 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Color (Pt-Co Units) (Pt-Co Units)	XXX	XXX	XXX	Report	Report	XXX
Total Dissolved Solids	Report Avg Qrtly	Report	XXX	1,000.0 Avg Qrtly	2,000.0	2,000.0

The proposed effluent limits for CSO Outfall 003 are based on a design flow of 0 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Total Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report Avg Mo	Report	XXX	XXX	XXX	XXX
Duration of Discharge (hours)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	Report Inst Min	XXX	XXX	Report
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	Report	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	Report	XXX	Report
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Ammonia-Nitrogen	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 006 (Emergency Outfall when Outfall 001 cannot discharge due to high river levels) are based on a design flow of 20 MGD.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Dissolved Oxygen	XXX	XXX	Report Inst Min	XXX	XXX	XXX

The proposed effluent limits for Outfall 006 (Emergency Outfall when Outfall 001 cannot discharge due to high river levels) are based on a design flow of 20 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Dissolved Oxygen	XXX	XXX	4.0 Inst Min	XXX	XXX	XXX

The proposed effluent limits for Outfall 006 are based on a design flow of 20 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
Duration of Discharge (hours)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.50	XXX	1.20
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	4,170	6,672	XXX	25.0	40.0	50.0
Total Suspended Solids	5,004	7,506	XXX	30.0	45.0	60.0
Total Dissolved Solids	Report	XXX	XXX	1,000.0	2,000.0 Daily Max	2,000.0
Fecal Coliform (No./100 ml)						
Oct 1—Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1—Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Ammonia-Nitrogen Nov 1—Apr 30	2502	XXX	XXX	15.0	30.0	30.0
May 1—Oct 31	834	XXX	XXX	5.0	Daily Max 10.0	10.0
Nitrate as N	Report	XXX	XXX	Report	XXX	XXX
Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Stormwater Outfalls 007, 008, 009, 010, and 011 are based on a design flow of 0 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	Report
Oil and Grease	XXX	XXX	XXX	XXX	XXX	30.0
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	XXX	Report
Iron, Total	XXX	XXX	XXX	XXX	XXX	Report

The proposed effluent limits for CSO Outfall 012 are based on a design flow of 0 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Total Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report Avg Mo	Report	XXX	XXX	XXX	XXX
Duration of Discharge (hours)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	Report Inst Min	XXX	XXX	Report
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	Report	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	Report	XXX	Report
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Ammonia-Nitrogen	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for IMP/Outfall 101 are based on a design flow of NA MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
Raw Sewage Influent Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	Report	Report	XXX	Report	Report	XXX
Raw Sewage Influent Biochemical Oxygen Demand (BOD ₅)	Report	Report	XXX	Report	Report	XXX
Raw Sewage Influent Total Suspended Solids	Report	Report	XXX	Report	Report	XXX
Raw Sewage Influent						

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

- Stormwater prohibition (separated sewer system areas); Necessary property rights; Residuals Management; Chlorine Minimization; Operations & Maintenance Plan; High Flow Management Plan; Changes to Effluent/stream; Discharge prohibition; Weekly average definition; Schedule of Compliance (Ammonia-N); Schedule of Compliance (Dissolved Oxygen); Schedule of Compliance (Sanitary Sewer Overflows (SSOs) Hydraulic Restriction Elimination); Maximizing Treatment at POTW; Combined Sewer Overflow conditions; POTW Pretreatment Program Implementation; Solids Management; Whole Effluent Toxicity (WET); and Stormwater Conditions.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-826-5472.

The EPA Waiver is not in effect.

Northeast Regional Office.

PA0026107, Sewage, SIC Code 4952, **Wyoming Valley Sanitary Authority**, P.O. Box 33A, Wilkes-Barre, PA 18703-1333. Facility Name: Wyoming Valley Sanitary Authority Wilkes-Barre. This existing facility is located in Hanover Township, **Luzerne County**.

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

The receiving stream(s), Susquehanna River (WWF, MF), is located in State Water Plan watershed 5-B and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 32 MGD.—Interim Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.50	XXX	1.20
Chromium, Hexavalent (ug/L)	Report	Report	XXX	Report	Report	XXX
Cyanide, Free (ug/L)	Report	Report	XXX	Report	Report	XXX
4,4-DDD (ug/L)	Report	Report	XXX	Report	Report	XXX
4,4-DDT (ug/L)	Report	Report	XXX	Report	Report	XXX
4,4-DDE (ug/L)	Report	Report	XXX	Report	Report	XXX
2,6-Dinitrotoluene (ug/L)	Report	Report	XXX	Report	Report	XXX
alpha-BHC (ug/L)	Report	Report	XXX	Report	Report	XXX
Dieldrin (ug/L)	Report	Report	XXX	Report	Report	XXX
Endrin (ug/L)	Report	Report	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 32 MGD.—Final Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.07	XXX	0.24
Chromium, Hexavalent (ug/L)	4.35	6.34	XXX	16.3	23.8	23.8
Cyanide, Free (ug/L)	4.46	6.96	XXX	16.7	26.1	41.8
4,4-DDD (ug/L)	0.0004	0.0006	XXX	0.001	0.002	0.004
4,4-DDT (ug/L)	0.0001	0.0002	XXX	0.0004	0.0007	0.001
4,4-DDE (ug/L)	0.00008	0.00010	XXX	0.0003	0.0005	0.0007
2,6-Dinitrotoluene (ug/L)	0.20	0.31	XXX	0.74	1.15	1.85
alpha-BHC (ug/L)	0.002	0.002	XXX	0.006	0.009	0.015
Dieldrin (ug/L)	0.000004	0.00006	XXX	0.05	0.05	0.00004
Endrin (ug/L)	0.023	0.033	XXX	0.086	0.13	0.13

The proposed effluent limits for Outfall 001 are based on a design flow of 32 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	10,425	16,680	XXX	25.0	40.0	50.0
CBOD ₅ Minimum % Removal (%)	Report Min Mo Avg	XXX	XXX	XXX	XXX	XXX
Total Suspended Solids	12,510	18,765	XXX	30.0	45.0	60.0
Total Suspended Solids Minimum % Removal (%)	Report Min Mo Avg	XXX	XXX	XXX	XXX	XXX
Fecal Coliform (No./100 ml)						
Oct 1—Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1—Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs) Effluent Net	Total Mo	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen	Report	Report Daily Max	XXX	25.0	40.0	50.0
Ammonia-Nitrogen (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	Total Mo	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs) Effluent Net	Report	XXX	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	Total Mo	XXX	XXX	XXX	XXX	XXX
Copper, Total (ug/L)	Report	Report Daily Max	XXX	Report	Report Daily Max	XXX
Iron, Total (ug/L)	Report	Report Daily Max	XXX	Report	Report Daily Max	XXX
Zinc, Total (ug/L)	Report	Report Daily Max	XXX	Report	Report Daily Max	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 32 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Aluminum, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
Manganese, Total (ug/L)	Semi Avg	Daily Max	XXX	Semi Avg	Daily Max	XXX
	Report	Report	XXX	Report	Report	XXX
	Semi Avg	Daily Max		Semi Avg	Daily Max	

The proposed effluent limits for (stormwater) Outfalls 059 and 060 are based on a design flow of 0 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	XXX	XXX	Report
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	XXX	Report
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	Report
Oil and Grease	XXX	XXX	XXX	XXX	XXX	30.0
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	XXX	Report
Total Phosphorus	XXX	XXX	XXX	XXX	XXX	Report
Iron, Total	XXX	XXX	XXX	XXX	XXX	Report

The proposed effluent limits for Internal Monitor Point/Outfall 102 (Raw Sewage Influent Monitoring at headworks) are based on a design flow of NA MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
Raw Sewage Influent Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	Report	Report Daily Max	XXX	Report	Report	XXX
Raw Sewage Influent Total Suspended Solids	Report	Report	XXX	Report	Report	XXX
Raw Sewage Influent						

The proposed monitoring requirements and effluent limits for implementation of Pennsylvania’s Chesapeake Bay Watershed Implementation Plan are as follows for Outfall 001.—Limits.

Parameters	Mass Units (lbs/day)		Monthly	Concentrations (mg/L)		Instant. Maximum
	Monthly	Annual		Monthly Average	Maximum	
Total Nitrogen (Total Load, lbs) (lbs) Effluent Net	XXX	584,467 Total Annual	XXX	XXX	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs) Effluent Net	XXX	77,929 Total Annual	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX

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

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

- Chesapeake Bay Conditions; Requirements for Facilities with Built-in Excess Hydraulic Capacity; Maximizing Treatment at the Existing POTW (CSO Bypass); Combined Sewer Overflows; Schedule of Compliance (TRC); POTW Pretreatment Program Implementation; Solids Management; Water Quality-based Effluent Limitations for Toxic Pollutants; Whole Effluent Toxicity (WET); WQBELs Below Quantitation Limits; Requirements Applicable to Stormwater Outfalls; Necessary Property Rights; Stormwater Prohibition (Separated Sewer System sewer sheds); Residuals management; Chlorine Minimization; Responsible Operator notification; High Flow Management Plan, and Changes in Effluent/Stream condition.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-826-5472.

The EPA Waiver is not in effect.

Northeast Regional Office.

PA0061034, Sewage, SIC Code 4952, **Waverly Township**, Lake Henry Drive, Waverly, PA 18471. Facility Name: Waverly Township WWTP. This existing facility is located in Waverly Township, **Lackawanna County**.

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

The receiving stream, Tributary 28835 to Ackerly Creek (CWF, MF), is located in State Water Plan watershed 4-F and is classified for Cold Water and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.5 MGD.

(From Permit Effective Date to 4 Years After Permit Effective Date)

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Ammonia-Nitrogen						
Nov 1—Apr 30	50.0	XXX	XXX	12.0	XXX	24.0
May 1—Oct 31	16.7	XXX	XXX	4.0	XXX	8.0

The proposed effluent limits for Outfall 001 are based on a design flow of 0.5 MGD.

(From Permit Effective Date to 1 Year After Permit Effective Date)

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	1.0	XXX	2.0

The proposed effluent limits for Outfall 001 are based on a design flow of 0.5 MGD.

(From 1 Year After Permit Effective Date to 4 Years After Permit Effective Date)

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6

The proposed effluent limits for Outfall 001 are based on a design flow of 0.5 MGD.
(From 4 Years After Permit Effective Date to Permit Expiration Date)

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.02	XXX	0.06
Ammonia-Nitrogen						
Nov 1—Apr 30	18.7	XXX	XXX	4.5	XXX	9.0
May 1—Oct 31	6.2	XXX	XXX	1.5	XXX	3.0

The proposed effluent limits for Outfall 001 are based on a design flow of 0.5 MGD.
(From Permit Effective Date to Permit Expiration Date)

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	104	167	XXX	25.0	40.0	50.0
Total Suspended Solids	125	188	XXX	30.0	45.0	60.0
Fecal Coliform (No./100 mL)						
May 1—Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1—Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
Influent Biochemical Oxygen Demand (BOD ₅)	Report	Report	XXX	Report	XXX	XXX
Influent Total Suspended Solids	Report	Report	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (lbs)	Report	Report	XXX	XXX	XXX	XXX
	Total	Total Annual				
Total Nitrogen (lbs)	Monthly					
Effluent Net	Report	9,132	XXX	XXX	XXX	XXX
	Total	Total Annual				
Nitrate-Nitrite as N	Monthly					
Nitrate-Nitrite as N (lbs)	Report	XXX	XXX	Report	XXX	XXX
	Total			XXX	XXX	XXX
Total Kjeldahl Nitrogen	Monthly					
Total Kjeldahl Nitrogen (lbs)	Report	XXX	XXX	Report	XXX	XXX
	Total			XXX	XXX	XXX
Ammonia-Nitrogen (lbs)	Monthly					
	Report	Report	XXX	XXX	XXX	XXX
	Total	Total Annual				
Total Phosphorus	Monthly					
Total Phosphorus (lbs)	Report	XXX	XXX	Report	XXX	XXX
	Total	Total Annual		XXX	XXX	XXX
Total Phosphorus (lbs)	Monthly					
Effluent Net	Report	1,218	XXX	XXX	XXX	XXX
	Total	Total Annual				
E. Coli (No./100mL)	Monthly					
	Report	XXX	XXX	XXX	XXX	Report

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

- Effluent Limitations Schedule
- Chesapeake Bay Nutrient Requirements
- Solids Management
- Requirements for Total Residual Chlorine (TRC)
- TRC Effluent Limitation at Quantitation Limit
- Requirements for Ammonia-Nitrogen

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-826-5472.

The EPA Waiver is not in effect.

Northeast Regional Office.

PA0063037, Sewage, SIC Code 4952, **Rau Chris L**, 26 Rau Road, Jim Thorpe, PA 18229-3571. Facility Name: Stoney Creek Hotel. This existing facility is located in Penn Forest Township, **Carbon County**.

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

The receiving stream(s), Stony Creek (EV, MF), is located in State Water Plan watershed 2-B and is classified for Exceptional Value Waters and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .025 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Nitrate-Nitrite as N (lbs/year)	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen (lbs/year)	Annl Avg	XXX	XXX	Annl Avg	XXX	XXX
	Report			Report		
Total Kjeldahl Nitrogen (lbs/year)	Annl Avg	XXX	XXX	Annl Avg	XXX	XXX
	Report			Report		
Total Phosphorus (lbs/year)	Annl Avg	XXX	XXX	Annl Avg	XXX	XXX
	Report			Report		

The proposed effluent limits for Outfall 001 are based on a design flow of .025 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	Inst Min	XXX	XXX	9.0
			Daily Max			
Dissolved Oxygen	XXX	XXX	Inst Min	XXX	XXX	XXX
			Daily Min			
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Ammonia-Nitrogen	XXX	XXX	XXX	Geo Mean	XXX	1,000
				200		
				Geo Mean		
				22.0	XXX	44

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

- Storm water management
- Property rights
- Solids management
- Approval of a municipal sewage facilities official plan or an amendment to an official plan under Act 537

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-826-5472.

The EPA Waiver is in effect.

Northwest Regional Office

PA0238635, Sewage, SIC Code 8800, **Frank A., Jr. & Melissa A. Blaine**, 304 Eagle Mill Road, Butler, PA 16001-8786. Facility Name: Frank A., Jr. & Melissa A. Blaine SRSTP. This existing facility is located in Connoquenessing Township, **Butler County**.

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

The receiving stream, the Little Connoquenessing Creek (CWF), is located in State Water Plan watershed 20-C and is classified for Cold Water Fished, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	Annl Avg	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min	Report	XXX	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	Avg Mo	10.0	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6078.

The EPA Waiver is in effect.

Northwest Regional Office

PA0291331, Sewage, SIC Code 8800, **Louis Niggel**, 371 Lamplite Lane, Williston, VT 05495-7711. Facility Name: Louis Niggel SRSTP. This proposed facility is located in Corydon Township, **McKean County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated SRSTP Sewage.

The receiving stream(s), Willow Creek, is located in State Water Plan watershed 16-B and is classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	Annl Avg	XXX	6.0	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	Inst Min	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6078.

The EPA Waiver is in effect.

Northwest Regional Office

PA0291404, Sewage, SIC Code 8800, **Charles & Penny Keller**, 9801 Fry Road, McKean, PA 16426-1714. Facility Name: Charles & Penny Keller SRSTP. This proposed facility is located in McKean Township, **Erie County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated SRSTP Sewage.

The receiving stream(s), Unnamed Tributary to Elk Creek, is located in State Water Plan watershed 15-A and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	Annl Avg	XXX	6.0	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	Inst Min	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6078.

The EPA Waiver is in effect.

Northwest Regional Office

PA0291421, Sewage, SIC Code 8800, **Jacob Leicht**, 10649 West Road, Albion, PA 16401-8717. Facility Name: Jacob Leicht SRSTP. This proposed facility is located in Elk Creek Township, **Erie County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated SRSTP Sewage.

The receiving stream(s), Unnamed Tributary of Temple Creek, is located in State Water Plan watershed 15-A and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0004 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6078.

The EPA Waiver is in effect.

Northwest Regional Office

PA0292711, Sewage, SIC Code 8800, **Michael Burrows**, 2929 Hershey Road, Erie, PA 16506-5003. Facility Name: Michael Burrows SRSTP. This proposed facility is located in Summit Township, **Erie County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated SRSTP Sewage.

The receiving stream(s), Unnamed Tributary of Walnut Creek, is located in State Water Plan watershed 15-A and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6078.

The EPA Waiver is in effect.

Northwest Regional Office

PA0292729, Sewage, SIC Code 8800, **Deborah & Michael Dudenhofer**, 5743 Obed Heights Drive, Edinboro, PA 16412-4005. Facility Name: Deborah & Michael Dudenhofer SRSTP. This proposed facility is located in Union Township, **Erie County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated SRSTP Sewage.

The receiving stream(s), Unnamed Tributary to French Creek, is located in State Water Plan watershed 16-A and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0005 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	Annl Avg XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6078.

The EPA Waiver is in effect.

Southcentral Regional Office

PA0084425, Sewage, SIC Code 4952, **Conewago Township Sewer Authority York County**, 600 Locust Point Road, York, PA 17406-6056. Facility Name: Conewago Township STP. This existing facility is located in Conewago Township, **York County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.50 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.2	XXX	0.66
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)						
May 1—Oct 31	41.0	60.0	XXX	10.0	15.0	20.0
Nov 1—Apr 30	80.0	125.0	XXX	20.0	30.0	40.0
Total Suspended Solids	125.0	185.0	XXX	30.0	45.0	60.0
Biochemical Oxygen Demand (BOD ₅)	Report	Report Daily Max	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	Report	Report Daily Max	XXX	Report	XXX	XXX
Raw Sewage Influent						
Fecal Coliform (No./100 ml)						
May 1—Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1—Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Ammonia-Nitrogen						
May 1—Oct 31	6.0	XXX	XXX	1.5	XXX	3.0
Nov 1—Apr 30	18.0	XXX	XXX	4.5	XXX	9.0
Total Phosphorus	8.0	XXX	XXX	2.0	XXX	4.0

The proposed monitoring requirements and effluent limits for implementation of Pennsylvania's Chesapeake Bay Watershed Implementation Plan are as follows for Outfall 001.—Limits.

Parameter	Mass Units (lbs)		Effluent Limitations			
	Monthly	Annual	Monthly	Monthly Average	Maximum	Instant. Maximum
Ammonia—N	Report	Report	XXX	Report	XXX	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX	XXX

	<i>Mass Units (lbs)</i>		<i>Effluent Limitations Concentrations (mg/L)</i>			
	Report		XXX	XXX	XXX	XXX
Net Total Nitrogen	Report	9,132	XXX	XXX	XXX	XXX
Net Total Phosphorus	Report	1,218	XXX	XXX	XXX	XXX

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

Sludge use and disposal description and location(s): Offsite Landfill

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

- N/A

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

The EPA Waiver is not in effect.

Southcentral Regional Office

PA0247227, Sewage, SIC Code 4952, **Dublin Township Fulton County**, P.O. Box 719, McConnellsburg, PA 17233. Facility Name: Dublin Township Burnt Cabins STP. This existing facility is located in Dublin Township, **Fulton County**.

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

The receiving stream(s), South Branch Little Aughwick Creek (HQ-CWF, MF), is located in State Water Plan watershed 12-C and is classified for High Quality—Cold Water and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.018 MGD.—Limits

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	1.5	2.2	XXX	10.0	15.0	20.0
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	1.5	2.2	XXX	10.0	15.0	20.0
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	Geo Mean XXX	XXX	Report
Ultraviolet light intensity (µw/cm ²)	XXX	XXX	Report	XXX	XXX	XXX
Ammonia-Nitrogen May 1—Oct 31	0.2	XXX	XXX	1.5	XXX	3.0
Nov 1—Apr 30	0.7	XXX	XXX	4.5	XXX	9.0
Total Phosphorus	0.2	XXX	XXX	1.0	XXX	2.0

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

<i>Parameter</i>	<i>Mass Units (lbs)</i>		<i>Effluent Limitations Concentrations (mg/L)</i>			
	<i>Monthly</i>	<i>Annual</i>	<i>Monthly</i>	<i>Monthly Average</i>	<i>Maximum</i>	<i>Instant. Maximum</i>
Ammonia—N	Report	Report	XXX	Report	XXX	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX	XXX

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

- Stormwater prohibition
- Notification of designation of responsible operator
- Hauled-in waste restriction

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

The EPA Waiver is in effect.

Southcentral Regional Office

PA0247821, Sewage, SIC Code 4952, **Planks Field Planned Comm Inc.**, P.O. Box 4208, Gettysburg, PA 17325-4208. Facility Name: Planks Field Planned Comm STP. This existing facility is located in Straban Township, **Adams County**.

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

The receiving stream(s), Rock Creek (WWF), is located in State Water Plan watershed 13-D and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.018 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.16	XXX	0.5
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50.0
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Fecal Coliform (No./100 ml)						
May 1—Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1—Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
E. Coli (No./100 ml)	XXX	XXX	XXX	Geo Mean XXX	XXX	Report
Ammonia-Nitrogen						
May 1—Oct 31	XXX	XXX	XXX	3.5	XXX	7.0
Nov 1—Apr 30	XXX	XXX	XXX	11.0	XXX	22.0
Total Phosphorus	XXX	XXX	XXX	2.0	XXX	4.0

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Ammonia—N	Report	Report	XXX	Report	XXX	XXX
Kjeldahl—N	Total Qrtly			Avg Qrtly		
	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Total Qrtly			Avg Qrtly		
	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Total Qrtly			Avg Qrtly		
	Report	Report	XXX	Report	XXX	XXX
Total Phosphorus	Total Qrtly			Avg Qrtly		
	Report	Report	XXX	Report	XXX	XXX
	Total Qrtly			Avg Qrtly		

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

- Chlorine minimization
- Notification of designation of responsible operator

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

The EPA Waiver is in effect.

Southcentral Regional Office.

PA0266621, Sewage, SIC Code 8811, **Ken Stetler & Sherry Stetler**, 4976 Spring Road, Shermans Dale, PA 17090. Facility Name: Stetler Residence. This existing facility is located in Carroll Township, **Perry County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of .0004 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

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

The EPA Waiver is in effect.

Southcentral Regional Office.

PA0266582, Concentrated Animal Feeding Operation (CAFO), **David Kauffman** (David Kauffman Farm CAFO), 12050 Greenwood Road, Huntingdon, PA 16652-6020.

David Kauffman has submitted an application for an Individual NPDES permit for a renewal of an CAFO known as David Kauffman Farm CAFO, located in Jackson Township, **Huntingdon County**.

The CAFO is situated near Unnamed Tributary to Standing Stone Creek (HQ-CWF, MF) and Herod Run (HQ-CWF, MF) in Watershed 11-B, which is classified for High Quality—Cold Water and Migratory Fish. The CAFO is designed to maintain an animal population of approximately 778.30 animal equivalent units (AEUs) consisting of 4,800 Swine Grow Finish, 14 Beef Finishers, 10 Beef Cows, and 8 Beef Calf. Liquid swine manure is stored in a concrete underbarn manure storage. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 100-year, 24-hour storm event.

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

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

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

Southeast Regional Office

PAS120001, Storm Water, SIC Code 2048, **Darling Ingredients, Inc.**, 4221 Alexandria Pike, Cold Spring, KY 41076-1821. Facility Name: Bakery Feeds Honey Brook Plant. This existing facility is located in Honey Brook Township, **Chester County**.

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

The receiving stream(s), West Branch Brandywine Creek (HQ-TSF, MF), is located in State Water Plan watershed 3-H and is classified for Migratory Fishes and High Quality Waters—Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a stormwater:

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for IMP 101 are based on a stormwater:

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for IMP 201 are based on a stormwater:

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX

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

- I. Stormwater outfalls and authorized non-stormwater discharges
- II. Best Management Practices
- III. Routine Inspections
- IV. PPC plan
- V. Stormwater Monitoring Requirements
- VI. Other Requirements
 - A. Property Rights
 - B. Sludge Disposal
 - C. TMDL/WLA Analysis

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.

Southwest Regional Office.

PA0032085, Sewage, SIC Code 8412, **PA DCNR Prince Gallitzin State Park**, 966 Marina Road, Patton, PA 16668-6317. Facility Name: Prince Gallitzin State Park. This existing facility is located in White Township, **Cambria County**.

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

The receiving stream(s), Beaverdam Run (CWF, MF), is located in State Water Plan watershed 8-C and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.12 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Minimum Monthly Average</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report

Parameters	Mass Units (lbs/day)		Minimum Monthly Average	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Total Nitrogen	XXX	XXX	XXX	Report Daily Max	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report Daily Max	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 0.12 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum Monthly Average	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)						
Oct 1—Apr 30	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
May 1—Sep 30	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen						
Oct 1—Apr 30	XXX	XXX	4.0 Daily Min	XXX	XXX	XXX
May 1—Sep 30	XXX	XXX	4.0 Daily Min	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	25.0	38.0	XXX	25.0	38.0	50
Biochemical Oxygen Demand (BOD ₅)	Report	Report Daily Max	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	Report	Report Daily Max	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	30.0	45.0	XXX	30.0	45.0	60
Fecal Coliform (No./100 ml)						
Oct 1—Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1—Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ultraviolet light intensity (µw/cm ²)						
Oct 1—Apr 30	XXX	XXX	Report	XXX	XXX	XXX
May 1—Sep 30	XXX	XXX	Report	XXX	XXX	XXX
Ammonia-Nitrogen						
Oct 1—Apr 30	25.0	XXX	XXX	25.0	XXX	50
May 1—Sep 30	10.0	XXX	XXX	10.0	XXX	20

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

- None.

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

The EPA Waiver is in effect.

Southwest Regional Office

PAI136150, MS4, Plum Borough Allegheny County, 4575 New Texas Road, Pittsburgh, PA 15239.

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 Plum Borough, **Allegheny County**. The receiving stream(s), Little Plum Creek (WWF), Piersons Run (TSF), Unnamed Tributary of Haymakers Run (HQ-CWF), Unnamed Tributary to Thompson Run (WWF), and Plum Creek (WWF), is located in State Water Plan watershed 19-A and 18-A and is classified for Trout Stocking, Warm Water Fishes, and High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

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

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

Southwest Regional Office.

PA0253839, Storm Water, SIC Codes 4953 & 2499, **Diamond Mulch, Inc.**, P.O. Box 1080, Mars, PA 16046-1080. Facility Name: Diamond Mulch Wood Waste Processing Facility. This existing facility is located in Indiana Township, **Allegheny County**.

Description of Proposed Activity: The application is for a new NPDES permit for existing discharges of industrial stormwater.

The receiving stream, Deer Creek (CWF), is located in State Water Plan watershed 18-A and is classified for Cold Water Fishes, aquatic life, water supply, and recreation. The discharges are not expected to affect public water supplies.

The proposed effluent limits for Outfalls 001—006 are for variable storm water discharges.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	XXX	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	XXX	Report
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	XXX	Report
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	Report
Oil and Grease	XXX	XXX	XXX	XXX	XXX	Report
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Total Nitrogen	XXX	XXX	XXX	XXX	XXX	Report
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	XXX	Report
Total Phosphorus	XXX	XXX	XXX	XXX	XXX	Report
Aluminum, Total	XXX	XXX	XXX	XXX	XXX	Report
Iron, Total	XXX	XXX	XXX	XXX	XXX	Report
Manganese, Total	XXX	XXX	XXX	XXX	XXX	Report

The proposed effluent limits for Internal Monitoring Point 104 are for variable storm water discharges.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	XXX	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	XXX	Report
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	XXX	Report
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	Report
Oil and Grease	XXX	XXX	XXX	XXX	XXX	Report
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Total Nitrogen	XXX	XXX	XXX	XXX	XXX	Report
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	XXX	Report
Total Phosphorus	XXX	XXX	XXX	XXX	XXX	Report
Aluminum, Total	XXX	XXX	XXX	XXX	XXX	Report
Iron, Total	XXX	XXX	XXX	XXX	XXX	Report
Manganese, Total	XXX	XXX	XXX	XXX	XXX	Report

In addition, the permit contains the following major special conditions: requirements for storm water outfalls.

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

The EPA Waiver is in effect.

III. Individual NPDES Permit Applications for Discharges of Stormwater Associated with Construction Activity.

<i>Application Number</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAD450168	New	180-115 C-1 Site, LLC 186 Murphy Run Road Stroudsburg, PA 18380	Tunkhannock Township Monroe County	NERO
PAD280015	New	Stanley Avenue Owner LLC Stanley Avenue Chambersburg, PA 17202-2916	Guilford Township Franklin County	SCRO
PAD150278	New	Keystone Courts 2140 Horseshoe Pike Honey Brook, PA 19344	Honey Brook Township Chester County	SERO
PAD110009A-2	Major Amendment	CPV Maple Hill Solar, LLC 50 Braintree Hill Office Park Suite 300 Braintree, MA 02184	Portage Township Cambria County	SWRO
PAC630269	New	Perryman Company 213 Vandale Drive Houston, PA 15342	Chartiers Township Washington County	SWRO

<i>Application Number</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC560048	New	CKT Moore Properties, LLC— Davidson Fuel 763 Main Street P.O. Box 418 Davidsville, PA 15928	Conemaugh Township Somerset County	SWRO
PAD060079	New	Squire Hill LLC 433 East High Street Womelsdorf, PA 19567-1505	Womelsdorf Borough Berks County	SCRO
PAC630266	New	Sheetz, Inc. 435 Monmouth Drive Cranberry, PA 16066	Chartiers Township Washington County	SWRO
PAD640037	New	Jeremy Jozsef Camp Morasha 274 High Lake Road Lakewood, PA 18439	Buckingham Township Wayne County	NERO
PAC020896	New	Apex Newbury, LLC 44 Abele Road Suite 304 Bridgeville, PA 15017	South Fayette Township Allegheny County	SWRO
PAD260022	New	Equity PPCP I, LLC 4653 Trueman Boulevard Suite 100 Columbus, OH 43026	South Union Township Fayette County	SWRO
PAD060030 A-1	Major Amendment	Ruth & Dave Mast 784 Memorial Highway Oley, PA 19547-8781	Oley Township Berks County	SCRO
PAD670018	Renewal	Timothy Pasch Fox Ridge Drive Dover, PA 17315	Dover Township York County	SCRO

PUBLIC WATER SUPPLY PERMITS

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

Individuals 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 Environmental Protection (DEP) 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, DEP 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.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

SAFE DRINKING WATER

Application(s) Received Under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17).

Northeast Region: Safe Drinking Water Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Terri Yench, Clerical Assistant 2, 570-830-3048.

Application No. 4022515, Construction, Public Water Supply

Applicant	OM USA, LLC d/b/a Nelly Travel Plaza
Address	3765 Nuangola Road Nuangola, PA 18707
Municipality	Rice Township
County	Luzerne County
Responsible Official	Vishal Parikh OM USA, LLC d/b/a Nelly Travel Plaza 3765 Nuangola Road Nuangola, PA 18707
Consulting Engineer	John R. Ackerman, P.E., P.G. Twin Oaks Consulting, LLC 820 Evans Street Hazle Township, PA 18201
Application Received	December 9, 2022

Description Applicant is requesting after-the-fact approval of previously installed manganese removal and UV disinfection systems.
Southcentral Region: Safe Drinking Water Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.
Contact: Darin Horst, Environmental Engineer, 717-705-4708.
Application No. 3622541, Construction, Public Water Supply

Applicant **Linville Hill Christian School**
 Address 295 South Kinzer Road
 Paradise, PA 17562

Municipality Paradise Township
 County **Lancaster County**

Responsible Official John Stoltzfus, Jr.
 295 South Kinzer Road
 Paradise, PA 17562

Consulting Engineer James R. Holley & Associates, Inc.
 18 South George Street
 Suite 300
 York, PA 17401

Application Received December 9, 2022

Description Addition of soda ash and installation of contact piping.
Application No. 2822519, Construction, Public Water Supply

Applicant **Herbrucks of Pennsylvania, LLC**
 Address 8069 Corner Road
 Mercersburg, PA 17236

Municipality Montgomery Township
 County **Franklin County**

Responsible Official Russell Phenicie
 8069 Corner Road
 Mercersburg, PA 17236

Consulting Engineer RHS Engineering, Inc.
 2909 Conococheague Lane
 Greencastle, PA 17225

Application Received November 13, 2022

Description Installation of a post-filtration sodium hypochlorite feed point.
Application No. 0522505, Construction, Public Water Supply

Applicant **Breezewood Gulf Service, Inc.**
 Address 4588 Business Rt. 220
 Bedford, PA 15522

Municipality East Providence Township
 County **Bedford County**

Responsible Official John Logue
 4588 Business Rt. 220
 Bedford, PA 15522

Consulting Engineer JHA Companies
 466 S Main Street
 Montrose, PA 18801

Application Received November 9, 2022

Description Demonstration of 4-log treatment of viruses.
Southwest Region: Safe Drinking Water Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.
Contact: Renee Diehl, Program Manager, ra-epsdsw@pa.gov.
Application No. 0222535, Construction, Public Water Supply

Applicant **Pittsburgh Water and Sewer Authority**
 Address Penn Liberty Plaza 1
 1200 Penn Avenue
 Pittsburgh, PA 15222

Municipality City of Pittsburgh
 County **Allegheny County**

Responsible Official William J. Pickering
 Chief Executive Officer
 Penn Liberty Plaza 1
 1200 Penn Avenue
 Pittsburgh, PA 15222

Consulting Engineer Whitman, Requardt and Associates, LLP
 801 South Caroline Street
 Baltimore, MD 21231

Application Received October 14, 2022

Description Construction of a permanent sodium permanganate system.
Application No. 0221532MA, Construction, Public Water Supply

Applicant **Pittsburgh Water and Sewer Authority**
 Address Penn Liberty Plaza 1
 1200 Penn Avenue
 Pittsburgh, PA 15222

Municipality City of Pittsburgh
 County **Allegheny County**

Responsible Official William J. Pickering
 Chief Executive Officer
 Penn Liberty Plaza 1
 1200 Penn Avenue
 Pittsburgh, PA 15222

Consulting Engineer Whitman, Requardt and Associates, LLP
 801 South Caroline Street
 Baltimore, MD 21231

Application Received August 11, 2021

Description Liquid lime slurry system improvements, removal of the abandoned dry lime system and freight elevator, installation of natural gas instantaneous water heaters for the emergency showers in the Chemical Building and Sodium Hypochlorite Building and update the Chemical Building process control system.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 1

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

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

Under Sections 304(n)(1)(ii) and 305(c)(2) of the Act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the NOI to Remediate is published in a newspaper of general circulation in the area of the site. For the site(s) identified as follows, proposed for remediation to a site-specific standard or as a special industrial area, the municipality, within which the site is located, may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30-days of the date specified as follows. During this comment period the municipality may request that the individual identified follows, as the remediator of the site, develop and implement a public involvement plan. Requests to be involved, and comments, should be directed to the remediator of the site.

For further information concerning plans or reports, please contact the Regional Office Program Manager previously listed in the notice.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

The DEP has received the following Notice(s) of Intent to Remediate.

Northcentral Region: Environmental Cleanup & Brownfields Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

Contact: Randy Farmerie, P.G., Environmental Program Manager, 570-327-3716.

Pride of Texas Logistics, LC Diesel Fuel Cleanup, Primary Facility ID # **858088**, U.S. Route 15 near Steam Valley Exit, Trout Run, PA 17771, Cogan House Township, **Lycoming County**. EnviroServe, Inc., 254 Reitz Avenue, Winfield, PA 17889, on behalf of Pride of Texas Logistics, LC, 20 South Third Street, Suite 210, Columbus, OH 43215, submitted a Notice of Intent to Remediate. The NIR concerns remediation of site soil contaminated with diesel fuel. The applicant proposes to remediate the site to meet the Non-Residential Statewide health standard. The Notice of Intent to Remediate was published in *The Daily Item* on November 4, 2022. Application received: December 13, 2022.

Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: Charline Bass, Administrative Assistant, 484-250-5787.

Former Philadelphia Media Network Facility, Primary Facility ID # **855611**, 800 River Road, Conshohocken, PA 19428, Upper Merion Township, **Montgomery County**. Thomas Bugey, PG, Roux Associates, Inc., 300 Atrium Drive, Suite 403, Somerset, NJ 08873, on behalf of Michael Bennett, 800 River Owner LLC, 2 Park Avenue, 14th Floor, New York, NY 10016, submitted a Notice of Intent to Remediate. The site is impacted by VOCs, naphthalene, and metals in soil and groundwater. The proposed future use of the property is for non-residential purposes. The proposed cleanup standard for the site is the Statewide health standard/site-specific standard. The Notice of Intent to Remediate was published in *Times Herald* on November 16, 2022. Application received: November 16, 2022.

Krajewski Residence, Primary Facility ID # **824344**, 10 Crystal Road, Levittown Road, PA 19057, Middletown Township, **Bucks County**. Richard Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of Chris Krajewski, 10 Crystal Road, Levittown, PA 19056, submitted a Notice of Intent to Remediate. A release of petroleum impacted the shallow soil and groundwater. The current use and proposed future use of the source property is residential. The proposed cleanup standard for the site is the Statewide health standard. The Notice of Intent to Remediate was published in *Bucks County Courier Times* on October 30, 2022. Application received: November 21, 2022.

Berwyn Shopping Center, Primary Facility ID # **777168**, 500 Lancaster Avenue (Route 30), Berwyn, PA 19312, Easttown Township, **Chester County**. Aaron Epstein, Partner Engineering and Science, Inc., 100 Deerfield Lane, Suite 200, Malvern, PA 19355, on behalf of Theresa Susco, Berwyn Center, LP, 725 Conshohocken State Road, Bala Cynwyd, PA 19004, submitted a Notice of Intent to Remediate. Soil and groundwater have been contaminated with VOCs and PAHs. The proposed future use of the property will remain the same. The proposed cleanup standard for the site is the Statewide health standard/site-specific standard. The Notice of Intent to Remediate was published in *Main Line Media News* on November 15, 2022. Application received: December 6, 2022.

Charo Auto Sales LLC, Primary Facility ID # **861858**, 628-658 East Erie Avenue, Philadelphia, PA 19134, City of Philadelphia, **Philadelphia County**. Kerk Halberg, August Mack Environmental, 806 Fayette Street, Philadelphia, PA 19428, on behalf of Kyle Chen, J&M Window Door, Inc., 4302 East Roosevelt Boulevard, Philadelphia, PA 19124, submitted a Notice of Intent to Remediate. VOCs, PAHs and RCRA 8 metals were found in groundwater and soil. Future uses of the property will be commercial. The proposed cleanup standard for the site is the Statewide health standard. The Notice of Intent to Remediate was published in *Daily News Legals* on October 21, 2022. Application received: October 19, 2022.

210 South Washington Street, Primary Facility ID # **862550**, 210 South Washington Street, Pottstown, PA 19464, Pottstown Borough, **Montgomery County**. Susan A. Green, EnviroSure, Inc., 1 North Bacton Hill Road, Suite 208, Malvern, PA 19355, on behalf of Jay Lankford, Lankford Acquisition III, 449 Old Reading Pike, Pottstown, PA 19464, submitted a Notice of Intent to Remediate. Site groundwater has been found to be contaminated with VOCs and PAHs. The proposed future use of the property will be non-residential for various warehousing and light manufacturing operations. The proposed cleanup standard for the site is the site-specific standard. The Notice of Intent to Remediate was published in *Pottstown Mercury* on November 11, 2022. Application received: November 10, 2022.

319 West Gay Street, Primary Facility ID # **780952**, 319 West Gay Street, West Chester, PA 19382, West Chester Borough, **Chester County**. Christopher Zeliznak, PG, EnviroSure, 319 South High Street, 1st Floor, West Chester, PA 19382, on behalf of Chad Weldon, CRW Realty, LP, 319 West Chester Gay Street, West Chester, PA 19382, PA 19382, submitted a Notice of Intent to Remediate. Site soil has been found to be contaminated with leaded and unleaded gasoline compounds. The proposed future use of the property will be a combination of commercial and residential use. The Notice of Intent to Remediate was published in *Daily Local News* on October 25, 2022. Application received: November 2, 2022.

69 2nd Avenue, Primary Facility ID # **774839**, 69 2nd Avenue, Phoenixville, PA 19460, Phoenixville Borough, **Chester County**. Daniel W. Eshete, GeoStructures, Inc., 1000 West 9th Avenue, King of Prussia, PA 19406, on behalf of Paul Basso, Milro Group, 49 Hanse Avenue, Freeport, NY 11520, submitted a Notice of Intent to Remediate. The site has been contaminated with No. 2 home heating oil which has contaminated soil on the property. The proposed future use of the property will be residential. The proposed cleanup standard for the site is the Statewide health standard. The Notice of Intent to Remediate was published in *Daily Local News* on November 3, 2022. Application received: December 6, 2022.

Southwest Region: Environmental Cleanup & Brownfields Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Kam Miseikyte, Clerical Assistant 2, 412-442-4091.

Historic Service Station, Primary Facility ID # **863091**, 3800 Oneil Boulevard, McKeesport, PA 15132, City of McKeesport, **Allegheny County**. RT Environmental Services, Inc., 2001 Waterdam Plaza Drive, Suite 205, Canonsburg, PA 15317, on behalf of 1 Eden Park Boulevard Park Associates LLC, 117 Broadstone Drive,

Mars, PA 16046, submitted a Notice of Intent to Remediate. Site characterization activities identified the presence of benzene in groundwater at concentrations exceeding PADEP non-residential Medium-Specific Concentrations on the northwest portion of the site. Groundwater impacts on the northwest portion of the site are believed to be the result of a prior release associated with the historic gasoline service station that occupied the northwest portion of the site from circa 1950 to approximately 1980. Soil analytical results indicate that all of the dissolved contamination has migrated to groundwater, and there is no ongoing source of contamination that would further contribute to groundwater contamination. The site is occupied by an approximately 26,200 square foot commercial building that contains six (6) separate retail tenant spaces. The intended future use of the site will remain commercial. The Notice of Intent to Remediate was published in *The Tribune-Review* on December 9, 2022. Application received: December 19, 2022.

AIR QUALITY PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

The Department of Environmental Protection (DEP) 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 DEP, 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 DEP received applications for Plan Approvals or Operating Permits from the following facilities. Copies of the application, DEP'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 DEP Regional Office. Appointments for scheduling a review must be made by calling the appropriate DEP Regional Office. The address and telephone number of the Regional Office is listed before the application notices.

Individuals 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 DEP'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.

Any individual wishing to request a hearing may do so during the 30-day comment period. A public hearing may be held, if DEP, 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 DEP determines this type of notification is sufficient. Requests for a public hearing and any relevant information should be directed to the appropriate DEP 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.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

PLAN APPROVALS

Notice of Intent to Issue Plan Approval(s) and Notice of Intent to Issue or Amend Operating Permit(s) Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B. These Actions May Include the Administrative Amendments of an Associated Operating Permit.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Raymond Kempa, New Source Review Chief, 570-826-2531.

48-00027D: Bethlehem Landfill Company, 2335 Applebutter Road, Bethlehem, PA 18015, Lower Saucon Township, **Northampton County**. Application received: August 10, 2022. In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) intends to issue a Plan Approval application for an increase in the landfill volumetric design capacity of approximately 2,304,900 yd³ (CY) of additional net volumetric MSW disposal capacity. The proposed expansion is comprised of both a horizontal/lateral expansion and a vertical expansion on existing disposal areas. The expansion area will utilize the existing landfill gas collection system, which is one (1) landfill gas flare currently installed at their facility. This change does not represent an increase in allowable tonnage per day and no other current emission limits in the facility Title V permit will change as a result of this modification. Emissions will be minimized through the use of daily, intermediate, and final cover systems. The existing LFG collection and control system will be progressively expanded into the new waste disposal area per PADEP BAT requirements and applicable permit requirements to capture LFG. Operation of the GCCS will be in accordance with the Title V permit, NSPS Subpart XXX and NESHAP Subpart AAAA. The Plan Approval will contain additional recordkeeping, testing, and operating restrictions designed to keep the facility operating within all applicable air quality requirements. The facility currently has a Title V Operating Permit No. 48-00027. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V Operating Permit through an administrative amendment at a later date.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are

available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No. 48-00027D and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Phone number: 570-826-2511 within 30 days after publication date.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Sheri Guerrieri, P.E., New Source Review Chief, 412-442-4174.

PA-26-00603: Means Meadows, LLC, 326 Newell Road, Fayette City, PA 15438, Jefferson Township, **Fayette County**. Application received: June 22, 2022. Notice is hereby given in accordance with 25 Pa. Code §§ 127.44—127.46 that the Department of Environmental Protection (Department) intends to issue Air Quality Plan Approval 26-00603 to allow the construction and operation of one (1) Matthews Environmental Solutions IEB-16 natural gas-fired animal crematory incinerator rated at a cremation rate of 100 lbs/hr and maximum charge capacity of 750 lbs. The facility is located at 326 Newell Road, Fayette City, PA 15438 in Jefferson Township, Fayette County. The proposed project and facility-wide potential to emit will not equal or exceed 1.0 ton of nitrogen oxides (NO_x), 1.0 ton of carbon monoxide (CO), 1.0 ton of particulate matter (PM), 1.0 ton per year of particulate matter less than 10 microns in diameter (PM₁₀), 1.0 ton per year of particulate matter less than 2.5 microns in diameter (PM_{2.5}), 0.5 ton per year of sulfur dioxide (SO₂), 0.5 ton per year of volatile organic compounds, 0.2 ton per year of hazardous air pollutants (HAPs), and 0.01 ton per year of lead. The authorization is subject to State Emission Standards. This Plan Approval has been conditioned to ensure compliance with all applicable rules. This includes emissions restrictions, operational restrictions, testing, monitoring, recordkeeping, reporting, and work practice requirements. Once compliance with the Plan Approval is demonstrated, the applicant will be required to apply for a State Only Operating Permit in accordance with 25 Pa. Code Subchapter F. The Plan Approval Application, the Department's Air Quality Review Memorandum, the proposed Air Quality Plan Approval, and other relevant information for this project are available for review by any interested party at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the Plan Approval Application, to receive an electronic copy of the Department's Air Quality

Review Memorandum, or to receive an electronic copy of the Department's proposed Air Quality Plan Approval for this project, a person may contact the Department at 412-442-4000. A person may oppose the proposed plan approval by filing a written protest with the Department through Trent Greener, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; tgreener@pa.gov; or fax 412.442.4096. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval (PA-26-00603), and a concise statement of the objections to the plan approval issuance and the relevant facts upon which the objections are based. All comments must be received prior to the close of business 30 days after the date of this publication. A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Trent A. Greener, Environmental Engineering Specialist, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222 or by email to tgreener@pa.gov. All comments must be received prior to the close of business 30 days after the date of this publication.

OPERATING PERMITS

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

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.

Contact: Matthew Williams, Facilities Permitting Chief, 814-332-6328.

20-00035, Molded Fiber Glass Tray, 6175 US Highway 6, Linesville, PA 16424, Pine Township, **Crawford County**. Application received: April 22, 2022. In accordance with Pa. Code 25 §§ 127.441, 127.425, and 127.521, the Department is providing notice that they intend to issue a renewed Title V Operating Permit for the Reinforced Plastic Manufacturing Facility. The facility's major emission sources include: Two (2) 4.2 MMBtu/hr Boilers, Air Make-Up & Space Heaters (16.1 MMBtu/hr), Process Heaters (0.55 mmBtu/hr), Closed Molding Operations, a Degreasing Operation, an Emergency Generator (80 kW), Finishing Operations, a Wet Resin Mix Room, two (2) Preform Ovens/Machines, a Curing Oven, a Surface Coating Operation, and eight (8) Resin Storage Tanks. The facility is electing to limit its styrene throughput for the Closed Molding Operations, its solvent usage for the Degreasing Operation, its preform throughput for the Preform Ovens/Machines, and its surface coating usage for the Surface Coating Operation in order to maintain its VOC emissions below major thresholds (50 tons per year), thus avoiding RACT requirements. The potential emissions of the major pollutants from the facility with these limitations are as follows: PM₁₀: 3.89 TPY, PM_{2.5}: 0.29 TPY, NO_x: 11.92 TPY, SO_x: 0.07 TPY, CO: 5.31 TPY, VOC: 48.97 TPY, Styrene: 43.60 TPY, and CO₂: 13,470 TPY; thus, the facility is subject to Title V requirements for potential emissions of a single Hazardous Air Pollutant in excess of ten (10) tons (Styrene). The

Boilers and Process Heater are subject to 40 CFR 63 Subpart DDDDD NESHAP for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters. The Emergency Generator is subject to 40 CFR 63 Subpart ZZZZ NESHAP for Stationary Reciprocating Internal Combustion Engines. The facility is subject to 40 CFR 63 Subpart WWWW NESHAP for Reinforced Plastic Composites Production. The renewal permit will contain emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Thomas Bianca, PE, West Permit Section Chief, 717-705-4862.

67-05027, York Wallcoverings, 750 Linden Avenue, York, PA 17404, City of York, **York County**. Application received: February 3, 2022. For a Title V Operating Permit renewal for the wallpaper manufacturing facility. The primary emissions from the facility are VOC. The facility's actual 2021 emissions were 24.41 tons of VOC including 0.11 ton of HAPs, 0.05 ton of PM₁₀, 0.69 ton of NO_x, and 0.58 ton of CO. The Title V Operating Permit will include emission standards, testing, monitoring, recordkeeping, and reporting requirements designed to keep the facility operating within all applicable air quality requirements. Among other items the conditions include the Federal regulatory provisions for Source 102 presses, derived from 40 CFR Part 63, Subpart KK—National Emission Standards for the Printing and Publishing.

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

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.

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

25-00558, Products Finishing, Incorporated, 2002 Greengarden Road, Erie, PA 16502, City of Erie, **Erie County**. Application received: January 24, 2022. The Department intends to renew a State Only Operating Permit for Products Finishing's chrome electroplating facility. The facility is a Natural Minor. The primary sources at the facility include 2 natural gas boilers each rated at 325,000 Btu/hr, 11 Chrome electroplating tanks, and a hydrochloric acid stripping tank. The potential emissions from the facility are as follows: NO_x less than 1 tpy; CO less than 1 tpy; PM₁₀ less than 1 tpy; SO_x less than 1 tpy; VOC's less than 1 tpy; and Chromium Compounds less than 1 tpy. The facility is subject to 40 CFR Part 63 Subpart N, the NESHAP for Chromium Emissions from Hard Chromium Electroplating and Chromium Anodizing Tanks. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

42-00177, Bradford Forest, Incorporated, 444 High Street, Bradford, PA 16701, City of Bradford, **McKean County**. Application received: January 26, 2022. The Department intends to renew a State Only Operating Permit for Bradford Forest's hardwood producing facility. The facility is a Natural Minor. Potential emissions are as follows: 73.37 tpy NO_x; 77.34 tpy CO; 5.65 tpy SO₂; and 62.64 tpy PM₁₀. The primary sources at the facility are 3 Wood Boilers, saw mill operations, and 3 parts washers.

The boilers are subject to 40 CFR Part 63 Subpart JJJJJJ, the NESHAP for ICI Area Source Boilers. The permit contains emission restrictions, recordkeeping, and work practice requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

32-00200, Indiana University of Pennsylvania, 525 Pratt Drive, Indiana, PA 15705, Indiana Borough, **Indiana County**. Application received: December 12, 2022. The Department is providing notice they intend to issue a new State Only Operating Permit for the S.W. Jack Cogeneration Plant. The facility's primary emission sources include the three gas/oil boilers, the four dual-fuel engines (8,400-bhp), a 600-bhp diesel emergency generator engine, and a cold solvent degreaser. The potential emissions after permit limitations of the major pollutants from the facility are as follows: 99.90 TPY (tons per year) NO_x, 63.30 TPY CO, 8.22 TPY VOC, 2.63 TPY total HAP (hazardous air pollutants), 5.37 TPY PM₁₀ and PM_{2.5}, and 3.38 TPY SO_x. The facility is a synthetic minor, taking limits on hours of operation of the dual-fuel engines to remain below Title V thresholds. The boilers are subject to 40 CFR 6 Subpart Dc, Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units. The engines are subject to 40 CFR 63 Subpart ZZZZ, NESHAP for Stationary Reciprocating Internal Combustion Engines (which includes CO emission limitations for the dual-fuel engines). The renewal permit will contain emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Thomas Hanlon, PE, East Permit Section Chief, 717-705-4862.

36-03199, Doodad Printing LLC, 1842 Colonial Village Lane, Suite 101, Lancaster, PA 17801, East Lampeter Township, **Lancaster County**. Application received: October 3, 2022. To issue a State Only Operating Permit renewal for the printing facility. The potential emissions from the facility are estimated at 4.29 tpy of NO_x, 3.60 tpy of CO, 0.33 tpy of PM, 0.03 tpy of SO_x, 19.70 tpy of VOC and 1.81 tpy of HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 25 Pa. Code § 129.67b, Control of VOC emissions from offset lithographic printing presses and letterpress printing presses.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Thomas Joseph, P.E., Facilities Permitting Chief, 412-442-4336.

63-00154, MCC International, Inc., 110 Centrifugal Court, McDonald, PA 15057, Cecil Township, **Washington County**. Application received: October 6, 2022.

In accordance with 25 Pa. Code §§ 127.424, 127.425, and 127.521, the Department is providing notice of intent to issue a renewal natural minor State Only Operating Permit for a ferrous and nonferrous foundry located in Cecil Township, Washington County.

MCC International, Inc., operates a foundry with seventeen electric induction furnaces, one natural gas-fired heat treating furnace, sandblasting operations, and one parts washer, controlled by four baghouses.

This facility has a potential to emit 1.9 tons/12-consecutive month period (12-cmp) of NO_x, 3.2 tons/12-cmp of CO, 0.02 ton/12-cmp of SO_x, 0.5 ton/12-cmp of VOCs, 0.4 ton/12-cmp of PM₁₀, and 0.4 ton/12-cmp total HAPs.

The application, DEP's Review Memorandum, and the proposed permit are available for public review during normal business hours at DEP's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. A file review can be scheduled through the DEP's website at: <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx> or by contacting Tom Joseph, Facilities Permitting Chief, directly.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the State-Only Operating Permit may submit the information to Tom Joseph, Facilities Permit Chief, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit (63-00154) and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

All comments must be received prior to the close of business 30 days after the date of this publication. A public hearing may be held in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The Department is not required to hold a conference or hearing. The applicant, the protestant, and other participants will be notified of the decision to hold a hearing (and the time, place and purpose of such hearing) by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Tom Joseph, Facilities Permit Chief, at the previously listed address.

PLAN APPROVALS

Receipt of Plan Approval Application(s) and Notice of Intent to Issue Plan Approval(s) and Notice of Intent to Issue or Amend Operating Permit(s) Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B and Subchapter F. These Actions May Include the Administrative Amendments of an Associated Operating Permit.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Raymond Kempa, Environmental Group Manager.

48-00122A, Coherent Corporation, 375 Saxonburg Blvd, Saxonburg, PA 16056, Palmer Township, **Northampton County**. Application received: September 16, 2022. Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Depart-

ment of Environmental Protection (DEP) has received and intends to issue a Plan Approval to Coherent Corporation for their facility located in Palmer Twp., Northampton County. This Plan Approval No. 40-00122A will be incorporated into a State Only Permit through an administrative amendment at a later date. Plan Approval No. 48-00122A is for the installation and operation of five (5) silicon carbide epitaxial growth reactors. Emissions will be controlled by the use of a scrubber/combustor. VOC emissions from the plant will be under 50 TPY threshold limit, 12-month rolling sum. Total HAP emissions from the facility will be under 25 TPY, 12-month rolling sum. Single HAP emissions will be under 10 TPY, 12-month rolling sum. The company shall be subject to and comply with 25 Pa. Code 123.31 for malodorous emissions. The company shall be subject to and comply with 25 Pa. Code 123.13 for particulate emissions. The company shall be subject to and comply with 25 Pa. Code 123.41 for Visible emissions. The Plan Approval and Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements. Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No. 40-00122A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Environmental Group Manager, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711, 570-826-2511 within 30 days after publication date.

39-00180B, Tierpoint Two, LLC, 9999 Hamilton Blvd, Breinigsville, PA 18031, Upper Macungie Township, **Lehigh County**. Application received: October 25, 2022. Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to Tierpoint Two, LLC for their facility located in Upper Macungie Twp., Lehigh County. Plan Approval No. 39-00180B will be incorporated into their State-Only Operating Permit through administrative amendment at a later date.

Plan Approval No. 39-00180B is for the installation & operation of six existing diesel-fired 2 MW emergency generators. The emergency generators are subject to the requirements of 40 CFR Part 60, Subpart IIII and 40 CFR Part 63, Subpart ZZZZ. The Plan Approval will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No. 39-00112A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, EEM, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511 within 30 days after publication date.

45-00151A, American Flooring, LLC, 180 Independence Drive, Pittston, PA 18640, Pittston Township, **Luzerne County**. Application received: September 12, 2022.

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to American Flooring, LLC for their facility located in Pittston Twp., Luzerne County. Plan Approval No. 45-00151A will be converted into an initial State-Only Operating Permit at a later date.

Plan Approval No. 45-00151A is for the installation & operation of equipment for a new vinyl tile manufacturing facility. Pulse-jet baghouses will control process emissions and meet an emission limit of 0.02 gr/dscf. Hot-melt glue application will be controlled by electrostatic precipitator and carbon adsorption filters. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions. The company shall be subject to and comply with 25 Pa. Code § 123.41 for visible emissions. The Plan Approval will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No. 39-00112A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments

received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, EEM, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511 within 30 days after publication date.

**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 are also subject to 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 (DEP). A copy of the application is available for inspection at the District Mining Office previously indicated in each application. Requests for 401 Water Quality Certifications are included in individual application only if 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 DEP at the address of the District Mining Office previously indicated in 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). Such comments or objections should contain the name, address and phone number of persons submitting comments or objections; application number; and a statement of sufficient detail to inform DEP on the basis of comment or objection and relevant facts upon which it is based.

In addition, 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 also contain 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 is associated with an application for an NPDES permit. A separate notice will be provided for the draft NPDES permit.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

Coal Applications

Effluent Limits—The following range of effluent limits (Table 1) will apply to NPDES permits issued in conjunction with the associated coal mining activity permit. Additional effluent limits will be listed as part of the publication of the draft NPDES permit.

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 must always be greater than 6.0; less than 9.0			
Alkalinity must always be greater than acidity			

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

Contact: Bonnie Herbert, Clerical Assistant 3.

Mining Permit No. 11040701. NPDES No. PA0235717. Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201, Portage Township, Cambria County. To renew the permit and related NPDES permit. Application received: October 14, 2022. Accepted: December 14, 2022.

Mining Permit No. 11051301. NPDES No. PA0235652. Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201, Cresson, Allegheny, and Munster Townships, Cambria County. To revise the permit and related NPDES permit. Application also revises the map parcel number numbering. Affecting 606.0 proposed underground acres and 606.0 proposed subsidence control plan acres. Application received: October 18, 2022. Accepted: December 16, 2022.

Mining Permit No. 30121301. NPDES No. PA0236195. Consol Pennsylvania Coal Company, LLC, 275 Technology Drive, Suite 101, Canonsburg, PA 15317, Richhill and Morris Townships, Greene County. To revise the permit and related NPDES permit for the installation of degas boreholes, affecting 5.6 proposed surface acres. Application received: October 20, 2022. Accepted: December 16, 2022.

New Stanton District Mining Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500.

Contact: Tracy Norbert or RA-EPNEWSTANTON@pa.gov.

Mining Permit No. Contract No. 65-22-01. NPDES No. PA0278564. David L. Patterson, Jr., 12 Short Cut Road, Smithfield, PA 15478, Loyalhanna Township, **Westmoreland County**. Application for commencement, operation and restoration for a Government Financed Construction Contract and associated NPDES permit, affecting 5.0 underground acres and 8.0 surface acres. Receiving stream: unnamed tributary to Getty Run, classified for the following use: WWF. Application received: December 8, 2022.

Noncoal Applications

Effluent Limits—The following Table 2 effluent limits apply to NPDES permits issued in conjunction with a noncoal mining permit. Additional effluent limits will be listed as part of the publication of the draft NPDES permit.

Table 2

<i>Parameter</i>	<i>30-day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Alkalinity must always exceed acidity			
pH must always be greater than 6.0; less than 9.0			

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

Contact: Cayleigh Boniger, Clerical Supervisor 2, 814-797-0824.

Mining Permit No. 3076SM4. NPDES No. PA0259730. Lakeland Aggregates, Inc., 11203 Ellion Road, Conneaut Lake, PA 16316, Sadsbury Township, **Crawford County**. Transfer of an existing bituminous surface mine from Conneaut Lake Sand & Gravel, Inc. Application received: November 30, 2022.

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200.

Contact: Cassie Stanton, Clerical Assistant 2.

Mining Permit No. 14120302. NPDES No. PA0118001. Graymont (PA) Inc., 375 Graymont Road, Bellefonte, PA 16823, Spring Township, **Centre County**. A depth revision to the final permitted pit floor elevation for the large industrial mineral permit affecting 67.3 acres. The final pit floor elevation is proposed to be lowered from 760 feet MSL to 710 feet MSL. Receiving stream(s): Unnamed Tributaries to Logan Branch classified for the following use(s): CWF, MF. Application received: December 14, 2022. Accepted: December 20, 2022.

Mining Permit No. 1479401. NPDES No. PA0118001. Graymont (PA) Inc., 375 Graymont Road, Bellefonte, PA 16823, Spring Township, **Centre County**. A depth revision to the final permitted pit floor elevation for the large industrial mineral permit affecting 157.5 acres. The final pit floor elevation is proposed to be lowered from 760 feet MSL to 710 feet MSL. Receiving stream(s): Logan Branch to Spring Creek to Bald Eagle Creek to West Branch Susquehanna River classified for the following use(s): CWF. Application received: December 14, 2022. Accepted: December 20, 2022.

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

Contact: RA-EPPottsvilleDMO@pa.gov.

Mining Permit No. 58010301. NPDES Permit No. PA0224171. Pennsy Supply, Inc., 2400 Thea Drive, Suite 3A, Harrisburg, PA 17110, Bridgewater Township, **Susquehanna County**. Renew NPDES Permit on a quarry operation affecting 44.78 acres. Receiving stream: unnamed tributary to South Branch Wyalusing Creek, classified for the following use: WWF. Application received: December 12, 2022.

Mining Permit No. 45950301. NPDES Permit No. PA0223506. Bill Barry Excavating, Inc., 174 Quarry Lane, Cresco, PA 18326, Barrett Township, **Monroe County**. Renew NPDES Permit on a quarry operation affecting 152.1 acres. Receiving streams: Cranberry Creek and Mill Creek, classified for the following uses: HQ-CWF, MF. Application received: December 12, 2022.

Mining Permit No. 5273SM2. NPDES Permit No. PA0594130. Hanson Aggregates Pennsylvania, LLC, 7660 Imperial Way, Allentown, PA 18195, Thornbury and Middletown Townships, **Delaware County**. Renew NPDES Permit on a quarry operation affecting 247.3 acres. Receiving stream: unnamed tributary to Chester Creek, classified for the following uses: TSF, MF. Application received: December 19, 2022.

Mining Permit No. 5278SM2. NPDES Permit No. PA0595764. Hanson Aggregates Pennsylvania, LLC, 7660 Imperial Way, Allentown, PA 18195, Lake Township, **Wayne County**. Renew NPDES Permit on a quarry operation affecting 107.8 acres. Receiving stream: unnamed tributary to Middle Creek, classified for the following uses: HQ—CWF, MF. Application received: December 19, 2022.

Mining Permit No. 35910301. NPDES Permit No. PA0595209. Scranton Materials, LLC, P.O. Box 127, Meshoppen, PA 18630, Newton and Ransom Townships, **Lackawanna County**. Renew NPDES Permit and update the flow rates on a quarry operation affecting 249.0 acres. Receiving stream: Keyser Creek, classified for the following uses: CWF, MF. Application received: December 19, 2022.

Mining Permit No. 7874SM3. NPDES Permit No. PA0612537. New Enterprise Stone & Lime Co., Inc., 3912 Brumbaugh Road, New Enterprise, PA 16664, Whitehall Township, **Lehigh County**. Renew NPDES Permit on a quarry operation affecting 137.6 acres. Receiving stream: Coplay Creek, classified for the following use: CWF. Application received: December 16, 2022.

Mining Permit No. 40070301. Stell Enterprises, Inc., 16 East Ann Street, Plains, PA 18705, City of Nanticoke, **Luzerne County**. Transfer of a quarry operation from Earth Conservancy affecting 57.7 acres. Receiving stream: Susquehanna River, classified for the following uses: WWF, MF. Application received: December 14, 2022.

MINING ACTIVITY NPDES DRAFT PERMITS

This notice provides information about applications for a new, amended or renewed National Pollutant Discharge Elimination System (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 (DEP) 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 must always be greater than 6.0; less than 9.0			
Alkalinity must always be greater than acidity			

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 § 77.522 are pH 6 to 9 and other parameters DEP 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.

Noncoal NPDES Draft Permits

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

Contact: Cayleigh Boniger, Clerical Supervisor 2, 814-797-0824.

NPDES No. PA0258423. Mining Permit No. 37070302. Allegheny Mineral Corporation, P.O. Box 1022, Kittanning, PA 16201, Slippery Rock Township, **Lawrence County**. Renewal of NPDES permit. Application received: December 15, 2022.

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

Contact: RA-EPPottsvilleDMO@pa.gov.

NPDES Permit No. PA0224235. Mining Permit No. 45020301. H & K Group, Inc., P.O. Box 196, Skippack, PA 19474, Smithfield Township, **Monroe County**. Renewal of NPDES permit affecting 61.6 acres. Receiving stream: Marshalls Creek, classified for the following uses: HQ-CWF-MF. Application received: May 25, 2022.

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

The following treated wastewater outfalls discharge to Marshalls Creek:

<i>Outfall number</i>	<i>New or existing</i>	<i>Type</i>	<i>Discharge rate:</i>
DP-001	Existing	Storm Water	0.40 MGD (Estimate)
DP-002	Existing	Storm Water	0.07 MGD (Estimate)

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

The following limits apply to dry weather discharges from the following stormwater outfalls: DP-001, DP-002

<i>Parameter (unit)</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
Total Alkalinity (as CaCO ₃) (mg/L)			Monitor and Report	
Total Acidity (as CaCO ₃) (mg/L)			Monitor and Report	
Net Alkalinity (mg/L)	0.0			
Turbidity (NTU)				40.0
Total Suspended Solids (mg/L)		35.0	70.0	90.0

The following alternate discharge limitations apply to discharges from the following stormwater outfalls resulting from precipitation events less than or equal to the 10-year/24-hour precipitation event:

<i>Parameter (unit)</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
Total Alkalinity (as CaCO ₃) (mg/L)			Monitor and Report	
Total Acidity (as CaCO ₃) (mg/L)			Monitor and Report	
Net Alkalinity (mg/L)	0.0			
Total Settleable Solids (ml/L)				0.5

¹This Parameter is applicable at all times.

CORRECTION—previously published on March 21, 2020.

NPDES Permit No. PA0226084. Mining Permit No. 40202801. Raymond J. Malak, Jr., d/b/a Noxen Sand & Materials, 2162 Chase Road, Shavertown, PA 18708, Lake Township, **Luzerne County**. New NPDES Permit on a bluestone quarry operation affecting 5.5 acres. Receiving stream: Beaver Creek, classified for the following use: HQ-CWF. Non-discharge BMP's shall be in effect. Application received: December 5, 2019.

NPDES Permit No. PA0612308. Mining Permit No. 7475SM3. Keystone Cement Company, 6507 Nor Bath Boulevard, Bath, PA 18014, East Allen Township, **Northampton County**. Renew NPDES permit affecting 581.0 acres. Receiving stream: Monocacy Creek, classified for the following use: HQ-CWF. Application received: July 8, 2021.

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

The following treated wastewater outfalls discharge to Monocacy Creek:

<i>Outfall number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
001	Existing	Treatment Outfall Facility	4.0 MGD*
002	Existing	Treatment Outfall Facility	3.0 MGD *
004	Existing	Treatment Outfall Facility	12.0 MGD*

*The Maximum Combined Discharge Rate from Outfalls 001, 002 and 004 is 16.5 MGD (Ave. Monthly).

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

<i>Parameter (unit)</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
Total Alkalinity (as CaCO ₃) (mg/L)			Monitor and Report	
Total Acidity (as CaCO ₃) (mg/L)			Monitor and Report	
Net Alkalinity (mg/L)	0.0			
Total Suspended Solids (mg/L)		35.0	70.0	90.0
Outfall 001 Discharge (MGD) *		4.0*	4.0	
Outfall 002 Discharge (MGD) *		3.0*	3.0	
Outfall 004 Discharge (MGD) *		12.0*	14.7	
Total Dissolved Solids (mg/L) **			Monitor and Report**	
Turbidity (NTU)				40.0

*The Maximum Combined Discharge Rate from Outfalls 001, 002 and 004 is 16.5 MGD (Ave. Monthly).

**Sampling for TDS is required monthly for one (1) year. If this sampling indicates that the discharge does not exceed 500 mg/L TDS, sampling may be terminated after the initial year. Otherwise, monthly TDS sampling is required to continue.

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 (DEP). 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. Individuals 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 previously noted in 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 DEP may schedule a fact-finding hearing or an informal conference in response to comments if deemed necessary. Maps, drawings and other data pertinent to the certification request are available for inspection between the hours of 8:00 a.m. and 4:00 p.m. on each working day at the office previously noted in the application.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

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)).

Central Office: Regional Permit Coordination Office, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101.

Contact: EPREGIONALPERMIT@pa.gov.

E0283222-021. Pennsylvania Turnpike Commission, 700 S Eisenhower Blvd, Middleton, PA 17057, West Mifflin Borough, **Allegheny County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: July 14, 2022. Latitude: 40.3493010°, Longitude: -79.9076380°.

1. To fill 1,910 square feet of a tributary to Monongahela River (WWF) (MON-2-S41) for the purpose of constructing proposed bridge structures MF-411A and MF-411B.

2. To fill 75 square feet of a tributary to Monongahela River (WWF) (MON-2-S41-3) for the purpose of constructing outlet protection for stormwater discharge.

3. To fill 72 square feet of a tributary to Monongahela River (WWF) (MON-2-S67) for the purpose of grading a stormwater basin embankment.

4. To fill 416 square feet of a tributary to Monongahela River (WWF) (MON-2-S51) for the purpose of grading an embankment for a permanent by-pass channel.

5. To relocate 4,169 square feet of a tributary to Monongahela River (WWF) (MON-2-S54-2) for the purpose of constructing a stormwater basin.

6. To fill 10 square feet of a tributary to Monongahela River (WWF) (MON-2-S54-3) for the purpose of removing a culvert.

7. To fill 298 square feet of a tributary to Monongahela River (WWF) (MON-2-S53) for the purpose of constructing proposed bridge structures MF-413B and MF-413C.

8. To relocate 520 square feet of a tributary to Monongahela River (WWF) (MON-2-S59-6) for the purpose of removing a stream enclosure.

9. To relocate 90 square feet of a tributary to Monongahela River (WWF) (MON-2-S59-5) for the purpose of removing a stream enclosure.

10. To relocate 799 square feet of a tributary to Monongahela River (WWF) (MON-2-S59-4) for the purpose of grading and forming a confluence with MON-1-S54.

11. To fill 24 square feet of tributary to Monongahela River (WWF) (MON-2-S59-2) for the purpose of driveway construction.

12. To fill 1,055 square feet of tributary to Monongahela River (WWF) (MON-2-S59-7) for purpose of roadway construction and outlet protection for stormwater discharge.

13. To fill 772 square feet of tributary to Monongahela River (WWF) (MON-2-S61-1) for the purpose of roadway construction.

14. To fill 76 square feet of tributary to Monongahela River (WWF) (MON-2-S62-1) for the purpose of roadway construction.

15. To fill 34 square feet of tributary to Monongahela River (WWF) (MON-2-S63-2) for the purpose of roadway construction.

16. To fill 55 square feet of tributary to Monongahela River (WWF) (MON-2-S42-1) for the purpose of constructing a stormwater basin.

17. To fill 44 square feet of tributary to Monongahela River (WWF) (MON-2-S60-1) for the purpose of driveway and channel construction.

18. To fill 322 square feet of tributary to Monongahela River (WWF) (MON-2-S64-1) for the purpose of driveway and channel construction.

19. To fill 112 square feet of tributary to Monongahela River (WWF) (MON-2-S95-1) for the purpose of constructing a railroad access road.

20. To reconstruct 684 square feet of a tributary to Monongahela River (WWF) (MON-2-S115-1) for the purpose of removing a stream enclosure.

21. To fill 0.10 acre of PEM wetlands within the Monongahela River (WWF) (MON-2-W51) watershed for the purpose of bridge MF-411A construction.

22. To fill 0.13 acre of PFO wetlands within the Monongahela River (WWF) (MON-2-W52) watershed for the purpose of stormwater basin construction.

23. To fill 0.01 acre of PEM wetlands within the Monongahela River (WWF) (MON-2-W58) watershed for the purpose of channel construction.

24. To fill 0.01 acre of PEM wetlands within the Monongahela River (WWF) (MON-2-W59) watershed for the purpose of channel construction.

25. To excavate and fill 0.08 acre of PEM wetlands within the Monongahela River (WWF) (MON-2-W50) watershed for the purpose of roadway construction and optional modified embankment area.

26. To excavate and fill 0.01 acre of PFO wetlands within the Monongahela River (WWF) (MON-2-W49) watershed for the purpose of roadway construction.

27. To excavate less than 0.01 acre of PFO wetlands within the Monongahela River (WWF) (MON-2-W48-1) watershed for the purpose of roadway construction.

28. To excavate 0.01 acre of PEM wetlands within the Monongahela River (WWF) (MON-2-W62) watershed for the purpose of roadway construction.

29. To excavate and fill less than 0.01 acre of PEM wetlands within the Monongahela River (WWF) (MON-2-W46) watershed for the purpose of roadway construction.

30. To excavate and fill 0.04 acre of PEM wetlands, and 0.02 acre of PFO wetlands, within the Monongahela River (WWF) (MON-2-W63) watershed for the purpose of roadway ramp construction.

31. To excavate and fill 0.09 acre of PUB wetlands within the Monongahela River (WWF) (MON-2-W61) watershed for the purpose of relocating stream MON-2-S59.

32. To excavate and fill 1.2 acres of a body of water within the Monongahela River (WWF) (Sandy Lake 1-1) watershed for the purpose of bridge MF-413A and MF-413B construction, sediment basin construction and relocating stream MON-2-S59.

33. To excavate and fill 0.25 acre of a body of water within the Monongahela River (WWF) (Sandy Lake 2-1) watershed for the purpose of bridge MF-413A and MF-413B construction, and sediment basin construction.

34. To fill 0.02 acre of PEM wetlands within the Monongahela River (WWF) (MON-2-W68-1) watershed for the purpose of driveway construction.

35. To fill less than 0.01 acre of PUB wetlands within the Monongahela River (WWF) (MON-2-W89-1) watershed for the purpose of outlet protection from a stormwater basin.

36. To excavate and fill 0.04 acre of PEM wetlands within the Monongahela River (WWF) (MON-2-W75-2) watershed for the purpose of construction access road and stream relocation.

In total the project will result in 0.09 acre (4,077 sf) of temporary and 0.26 acre (11,537 sf) of permanent stream impact, 2.06 acres of temporary and 5.18 acres of permanent floodway impact, 0.02 acre of temporary and 0.48 acre of permanent wetland impact, and, 1.54 acres of permanent body of water impact.

The project is located between Curry Hollow Road and Pittsburgh-McKeesport Road (Glassport, PA Quadrangle, Latitude: 40.3493010°; Longitude: -79.9076380°) in West Mifflin Borough, Allegheny County.

Eastern District: Oil and Gas Management Program, 208 West Third Street, Williamsport, PA 17701-6448.

Contact: RA-EPEASTERNOPRG@pa.gov.

E5829222-014. Williams Field Services Co LLC, 310 State Route 29 North, Tunkhannock, PA 18657, Jessup Township and Rush Township, **Susquehanna County**. U.S. Army Corps of Engineers Baltimore District. Application received: November 14, 2022.

To construct, operate, and maintain:

1. a temporary workspace impacting 4,946 square feet (0.11 acre) of a palustrine emergent wetlands (PEM) (Lawton, PA, 7.5-minute Quadrangle; Lat. 41.822110°, Long. -76.070468°),

2. a temporary timber bridge/mat crossing impacting 543 square feet (0.01 acre) of a palustrine emergent wetlands (PEM) (Lawton, PA, 7.5-minute Quadrangle; Lat. 41.822108°, Long. -76.069050°),

3. a 16-inch diameter natural gas pipeline and a temporary timber bridge crossing impacting 124 lineal feet of an unnamed tributary of Middle Branch Wyalusing Creek (CWF, MF) (Lawton, PA, 7.5-minute Quadrangle; Lat. 41.822274°, Long. -76.068020°),

4. a 16-inch diameter natural gas pipeline and a temporary timber bridge crossing impacting 7,303 square feet (0.17 acre) of a palustrine emergent wetlands (PEM) (Lawton, PA, 7.5-minute Quadrangle; Lat. 41.822327°, Long. -76.066911°),

5. a 16-inch diameter natural gas pipeline and a temporary timber bridge/mat crossing impacting 4,036 square feet (0.09 acre) of a palustrine forested wetlands (PFO) (Lawton, PA, 7.5-minute Quadrangle; Lat. 41.823934°, Long. -76.065029°),

6. a 16-inch diameter natural gas pipeline and a temporary timber bridge crossing impacting 144 lineal feet of an unnamed tributary of Middle Branch Wyalusing Creek (CWF, MF) (Lawton, PA, 7.5-minute Quadrangle; Lat. 41.823854°, Long. -76.065024°),

7. a 16-inch diameter natural gas pipeline and a temporary timber bridge crossing impacting 87 lineal feet of an unnamed tributary of Middle Branch Wyalusing Creek (CWF, MF) (Lawton, PA, 7.5-minute Quadrangle; Lat. 41.823952°, Long. -76.065031°),

8. a temporary timber bridge/mat crossing impacting 676 square feet (0.02 acre) of a palustrine emergent wetlands (PEM) (Lawton, PA, 7.5-minute Quadrangle; Lat. 41.824579°, Long. -76.065076°),

9. a 16-inch diameter natural gas pipeline and timber bridge/mat crossing impacting 130 lineal feet of an unnamed tributary of Middle Branch Wyalusing Creek (CWF, MF) (Lawton, PA, 7.5-minute Quadrangle; Lat. 41.825022°, Long. -76.064830°),

10. a 16-inch diameter natural gas pipeline and timber bridge/mat crossing impacting 3,674 square feet (0.08 acre) of a palustrine emergent wetlands (PEM), 14,680 square feet (0.34 acre) of a palustrine scrub-shrub wetlands (PSS), and 5,816 square feet (0.13 acre) of palustrine forested wetlands (PFO) (Lawton, PA, 7.5 minute Quadrangle; Lat. 41.825450°, Long. -76.062213°),

11. a 16-inch diameter natural gas pipeline and timber bridge/mat crossing impacting 2,540 square feet (0.06 acre) of a palustrine emergent wetlands (PEM) and 3,729 square feet (0.09 acre) of palustrine forested wetlands (PFO) (Lawton, PA, 7.5 minute Quadrangle; Lat. 41.817764°, Long. -76.055089°),

12. a 16-inch diameter natural gas pipeline and timber bridge crossing impacting 111 lineal feet of an unnamed tributary of Middle Branch Wyalusing Creek (CWF, MF) (Lawton, PA, 7.5-minute Quadrangle; Lat. 41.817725°, Long. -76.055022°),

13. a 16-inch diameter natural gas pipeline and timber bridge/mat crossing impacting 216 square feet (0.01 acre) of a palustrine emergent wetlands (PEM) (Lawton, PA, 7.5 minute-Quadrangle; Lat. 41.819151°, Long. -76.052280°),

14. a 16-inch diameter natural gas pipeline and timber bridge crossing impacting 175 lineal feet of the Middle Branch Wyalusing Creek (CWF, MF) (Lawton, PA, 7.5 minute-Quadrangle; Lat. 41.819126°, Long. -76.052177°),

15. a 16-inch diameter natural gas pipeline and timber bridge/mat crossing impacting 8,902 square feet (0.20 acre) of palustrine forested wetlands (PFO) (Lawton, PA, 7.5-minute Quadrangle; Lat. 41.818934°, Long. -76.051291°),

16. a 16-inch diameter natural gas pipeline and timber bridge/mat crossing impacting 55 lineal feet of an

unnamed tributary of Middle Branch Wyalusing Creek (CWF, MF) (Lawton, PA, 7.5-minute Quadrangle; Lat. 41.818925°, Long. -76.051222°),

17. a 16-inch diameter natural gas pipeline and timber bridge/mat crossing impacting 234 square feet (0.01 acre) of palustrine emergent wetlands (PEM) and 19,334 square feet (0.44 acre) of palustrine forested wetlands (PFO) (Lawton, PA, 7.5 minute Quadrangle; Lat. 41.819237°, Long. -76.049353°),

18. a 16-inch diameter natural gas pipeline and timber bridge/mat crossing impacting 22,080 square feet (0.51 acre) of palustrine emergent wetlands (PEM) (Lawton, PA, 7.5-minute Quadrangle; Lat. 41.816543°, Long. -76.038950°),

19. a 16-inch diameter natural gas pipeline and timber bridge/mat crossing impacting 2,363 square feet (0.05 acre) of palustrine scrub-shrub wetlands (PSS) (Lawton, PA, 7.5-minute Quadrangle; Lat. 41.816878°, Long. -76.037958°),

20. a 16-inch diameter natural gas pipeline and timber bridge/mat crossing impacting 7,368 square feet (0.17 acre) of palustrine scrub-shrub wetlands (PSS) (Lawton, PA, 7.5-minute Quadrangle; Lat. 41.814220°, Long. -76.033155°),

21. a 16-inch diameter natural gas pipeline and timber bridge crossing impacting 84 lineal feet of an unnamed tributary of East Branch Wyalusing Creek (CWF, MF) (Lawton, PA, 7.5-minute Quadrangle; Lat. 41.814306°, Long. -76.033281°),

22. a 16-inch diameter natural gas pipeline and timber bridge/mat crossing impacting 798 square feet (0.02 acre) of palustrine emergent wetlands (PEM) (Lawton, PA, 7.5-minute Quadrangle; Lat. 41.810565°, Long. -76.030330),

23. a 16-inch diameter natural gas pipeline and timber bridge/mat crossing impacting 11,691 square feet (0.27 acre) of palustrine forested wetlands (PFO) (Lawton, PA, 7.5-minute Quadrangle; Lat. 41.809901°, Long. -76.028431°),

24. a 16-inch diameter natural gas pipeline and timber bridge crossing impacting 130 lineal feet of an unnamed tributary of East Branch Wyalusing Creek (CWF, MF) (Lawton, PA, 7.5-minute Quadrangle; Lat. 41.809702°, Long. -76.027982°),

25. a 16-inch diameter natural gas pipeline and timber bridge crossing impacting 88 lineal feet of an unnamed tributary of East Branch Wyalusing Creek (CWF, MF) (Lawton, PA, 7.5-minute Quadrangle; Lat. 41.809625°, Long. -76.027809°),

26. a 16-inch diameter natural gas pipeline and timber bridge/mat crossing impacting 2,076 square feet (0.05 acre) of palustrine forested wetlands (PFO) (Lawton, PA, 7.5-minute Quadrangle; Lat. 41.809590°, Long. -76.027730°),

27. a temporary workspace crossing impacting 647 square feet (0.01 acre) of palustrine forested wetlands (PFO) (Lawton, PA, 7.5-minute Quadrangle; Lat. 41.809051°, Long. -76.026783°),

28. a 16-inch diameter natural gas pipeline and timber bridge/mat crossing impacting 17,027 square feet (0.39 acre) of palustrine emergent wetlands (PEM) (Lawton, PA, 7.5-minute Quadrangle; Lat. 41.809244°, Long. -76.020962),

29. a 16-inch diameter natural gas pipeline and timber bridge crossing impacting 100 lineal feet of Devel Creek (CWF, MF) (Lawton, PA, 7.5-minute Quadrangle; Lat. 41.809022°, Long. -76.020450°),

30. a 16-inch diameter natural gas pipeline and timber bridge/mat crossing impacting 4,668 square feet (0.11 acre) of palustrine emergent wetlands (PEM) (Lawton, PA, 7.5-minute Quadrangle; Lat. 41.808724°, Long. -76.019760),

31. a 16-inch diameter natural gas pipeline and timber bridge/mat crossing impacting 871 square feet (0.11 acre) of palustrine emergent wetlands (PEM) (Lawton, PA, 7.5-minute Quadrangle; Lat. 41.808724°, Long. -76.019760),

32. a 16-inch diameter natural gas pipeline and timber bridge crossing impacting 115 lineal feet of unnamed tributary to Devel Creek (CWF, MF) (Lawton, PA, 7.5-minute Quadrangle; Lat. 41.810332°, Long. -76.016361°),

33. a 16-inch diameter natural gas pipeline and timber bridge/mat crossing impacting 2,424 square feet (0.06 acre) of palustrine forested wetlands (PFO) (Lawton, PA, 7.5-minute Quadrangle; Lat. 41.810654°, Long. -76.009307°),

34. a 16-inch diameter natural gas pipeline and timber bridge crossing impacting 157 lineal feet of Snell Creek (CWF, MF) (Lawton, PA, 7.5-minute Quadrangle; Lat. 41.810571°, Long. -76.008822°),

35. a 16-inch diameter natural gas pipeline and timber bridge/mat crossing impacting 399 square feet (0.01 acre) of palustrine emergent wetlands (PEM) (Lawton, PA, 7.5-minute Quadrangle; Lat. 41.808870°, Long. -76.006030),

36. a 16-inch diameter natural gas pipeline and timber bridge/mat crossing impacting 1,827 square feet (0.04 acre) of palustrine emergent wetlands (PEM) (Lawton, PA, 7.5-minute Quadrangle; Lat. 41.808880°, Long. -76.005555),

37. a 16-inch diameter natural gas pipeline and timber bridge crossing impacting 117 lineal feet of an unnamed tributary of Snell Creek (CWF, MF) (Lawton, PA, 7.5-minute Quadrangle; Lat. 41.808970°, Long. -76.002643°),

38. a 16-inch diameter natural gas pipeline and timber bridge/mat crossing impacting 2,183 square feet (0.05 acre) of palustrine emergent wetlands (PEM) (Lawton, PA, 7.5-minute Quadrangle; Lat. 41.808980°, Long. -76.000063),

39. a 16-inch diameter natural gas pipeline and timber bridge/mat crossing impacting 1,453 square feet (0.05 acre) of palustrine emergent wetlands (PEM) (Lawton/Montrose West, PA, 7.5-minute Quadrangles; Lat. 41.809023°, Long. -75.999351°).

The 16-inch diameter natural gas Housenick Pipeline project is 26,608 lineal feet in length and is located in Jessup and Rush Townships, Susquehanna County. The project will result in 923 lineal feet of stream impacts, 98,277 square feet of floodway impacts, 71,438 square feet (1.64 acres) of PEM wetlands impacts, 24,411 square feet (0.56 acre) of PSS wetlands impacts, and 58,655 square feet (1.35 acres) of PFO wetlands impacts for the purpose of conveying natural gas gathering line for conveyance to market.

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

Contact: RA-EPWW-NERO@pa.gov.

EA4002222-001 & WV4002222-001. Wyoming Valley Sanitary Authority, 1000 Wilkes-Barre Street, P.O. Box 33A, Hanover, PA 18706, City of Nanticoke, **Luzerne County**. U.S. Army Corps of Engineers Baltimore District. Application received: August 31, 2022.

To restore a 900 linear foot reach of South Branch Newport Creek (CWF, MF) consisting of regrading 900 linear feet of stream channel, the installation of 3 coir logs impacting 572 linear feet of streambank, the installation of boulder toe revetment impacting 437 linear feet of streambank, the installation of 8 log vanes impacting approximately 120 linear feet of stream channel, random boulder placement impacting approximately 75 linear feet of stream channel, and riparian buffer grading and stabilization impacting approximately 0.60-acre of floodway/floodplain for the purpose of addressing erosion in and along the watercourse. The project is located to the north of 450 West Main Street (Nanticoke, PA Quadrangle, Latitude: 41.198404; Longitude: -76.013531) in Nanticoke City, Luzerne County.

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: 717-705-4802.

E3803222-004. Hanover Logistics, LLC, 201 Iron Valley Drive, Lebanon, PA 17042, East Hanover Township, **Lebanon County, Dauphin County**. U.S. Army Corps of Engineers Baltimore District. Application received: August 25, 2022.

Applicant proposes to 1.) install and maintain an 8.0-inch steel encased HDPE sanitary sewer line crossing of an unnamed tributary to Bow Creek (WWF, MF) impacting 44 linear feet of stream; 2.) install and maintain an 8.0-inch steel encased HDPE sanitary sewer line crossing of an unnamed tributary to Bow Creek (WWF, MF) impacting 47 linear feet of stream; 3.) install and maintain an 8.0-inch steel encased HDPE sanitary sewer line crossing of an unnamed tributary to Bow Creek (WWF, MF) and palustrine scrub shrub wetlands impacting 24 linear feet of stream and 0.01 acre of wetlands; 4.) to regrade and maintain the existing Fox Run Road Crossing of an unnamed tributary to Bow Creek (WWF, MF) 5.) place and maintain fill in palustrine emergent/scrub-shrub/forested wetlands, impacting 0.52 acre of wetlands; 6.) place and maintain fill in an unnamed tributary to Racoon Creek (WWF, MF) impacting 187 feet of stream; and 7.) place and maintain fill in an unnamed tributary to Racoon Creek (WWF, MF) impacting 275 feet of stream, all for the purpose of accommodating proposed warehouses. The project is located along Fox Run Road. To compensate for the stream impacts the applicant proposes bank grading and cross rock vane installation in a 935 foot segment of an unnamed tributary to Racoon Creek onsite, and to compensate for wetland impacts, the applicant proposes to purchase credits from the Codorus Creek Bank in York County, Pennsylvania. Latitude: 40.3906°, Longitude: -76.6466°.

Southeast Region: Waterways & Wetlands Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: Elaine Henderson, Clerical Assistant 3, 484-250-5157.

E0901222-006. LPC Morrisville, LP, 1 North Wacker Drive, Suite 1925, Chicago, IL 60606, Falls Township, Morrisville Borough, **Bucks County**. U.S. Army Corps of

Engineers Philadelphia District. Application received: November 28, 2022. Latitude: 40.193085°, Longitude: -74.762757°.

LPC Morrisville, LP is proposing to perform the following water obstruction and encroachment activities associated with the construction of a 968,760 SF warehouse with associated infrastructure including parking, storm-water management, and utilities impacting three (3) wetlands and FEMA mapped floodway of the Delaware River in Falls Township and Morrisville Borough, Bucks County, Pennsylvania.

The proposed project activities will result in permanent impacts to three wetlands (Wetland A—Palustrine Scrub-Shrub, Wetland B—Palustrine Emergent, and Wetland K—Palustrine Forested) and impacts to the FEMA mapped floodway of the Delaware River. Wetland K (EV) is a closed depression forested wetland that will be filled as part of the access road construction and result in 877 sq ft (0.02 acre) of permanent impact. Wetland B (EV) will be partially impacted by the proposed access road and associated grading with 4,890 sq ft (0.11 acre) of permanent impact limited to the emergent portion of the wetland and 516 sq ft (0.01 acre) of temporary impact for access and installation of Best Management Practices (BMPs). Wetland A (EV) is an emergent and scrub/shrub wetland complex that will be filled as part of the warehouse development and is 14,545 sq ft (0.329 acre) in size. Impacts will occur to the FEMA mapped floodway of the Delaware River (WWF-MF) for the installation of E&S measures during construction of the warehouse; 2,614 sq ft (0.06 acre) of temporary impact for a filter sock sediment trap installation, and 1,742 sq ft (0.04 acre) of permanent impact for a small area of fill and grading.

This project is located in Bucks County, Falls Township and Morrisville Borough, Pennsylvania (USGS PA Quadrangle—Latitude 40.193085N, Longitude -74.762757W).

E4601222-019. Upper Dublin Township Municipal Authority, 370 Commerce Drive, Fort Washington, PA 19034, Upper Dublin Township and Whitemarsh Township, **Montgomery County**. U.S. Army Corps of Engineers Philadelphia District. Application received: September 9, 2022. Latitude: 40.137256°, Longitude: -75.204077°.

To construct and maintain the Commerce Drive Road Diet, drainage installation, and Cross County Trail between Pennsylvania Avenue and the PA-309 overpass within the floodway/floodplain of UNT (aka Bodenstien Channel) to Sandy Run (TSF-MF), associated with the Fort Washington Cross County Trail & Road Diet—Phase 3. The project will include the following activities:

1. About 0.5-mile-long and 12-foot-wide trail between Pennsylvania Avenue and the PA-309 overpass.

2. Replace existing culvert approximately 260 long, two (2) 35" x 68" elliptical corrugated metal pipes (CMPs) under the Commerce Drive. The new culvert will be approximately 269 feet long, and 12' x 3' concrete box culvert with upstream headwall.

3. Rehabilitate the UNT (aka Bodenstien Channel) to Sandy Run which parallels to Commerce Drive for approximately 1,200 feet. Rehabilitation will include bank stabilization, backslopes of 2:1 with a 7-foot-wide channel bottom lined with R-4 riprap choked with streambed material.

The site is located along 200 Commerce Drive (Ambler, PA USGS Quadrangles Latitude: 40.137256; Longitude: -75.204077) in Upper Dublin and Whitemarsh Townships, Montgomery County.

EROSION AND SEDIMENT CONTROL

The following parties have applied for an Erosion and Sediment Control Permit (ESCP) for an earth disturbance activity associated with either a road maintenance or timber harvesting operation.

Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department of Environmental Protection (DEP) proposes to issue a permit to discharge, subject to certain limitations set forth in the permit conditions. These proposed determinations are tentative. Limitations are provided as erosion and sediment control best management practices (BMPs) which restrict the rate and quantity of sediment discharged.

Individuals wishing to comment on the proposed permit are invited to submit a statement to the appropriate DEP Regional Office previously listed in the application within 30-days of this public notice. Comments reviewed within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address, and telephone number of the writer and a concise statement to inform DEP of the exact basis of a comment and relevant facts upon which it is based. A public hearing may be held after consideration of comments received by the appropriate DEP Regional Office during the 30-day public comment period.

Following the 30-day comment period, the appropriate Regional Office Program Manager will make a final determination regarding the proposed permit. Notice of

this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The application and related documents, including the erosion and sediment control plan for the earth disturbance activity are on file and may be inspected at the office identified in this notice.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

Applications Received Under Sections 5 and 402 of the Clean Streams Law (35 P.S. §§ 691.5 and 691.402).

Northwest Region: Oil and Gas Management Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.

Contact: Kate Hogue, Clerical Supervisor 2, 814-332-6860.

ESCGP-3 # ESCGP # 3

Applicant Name EQM Gathering Opco, LLC

Contact Person Gregg West

Address 2200 Energy Drive

City, State, Zip Cannonsburg, PA 15317

Township(s) Wayne Township

County Greene County

Receiving Stream(s) and Classification(s) Sharp Run

WWF; Trib 41633 to Roberts Run WWF; Trib 41635 to

Roberts Run WWF; Roberts Run WWF; Trib 41637 to

Roberts Run WWF; Trib 41634 to Roberts Run WWF;

Rush Run WWF

Application received: July 29, 2022

ACTIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

The Department of Environmental Protection (DEP) has taken the following actions on previously received applications for new, amended, and renewed National Pollutant Discharge Elimination System (NPDES) and Water Quality Management (WQM) permits, applications for permit waivers, and Notice of Intent (NOIs) for coverage under General Permits, as listed in the following tables. This notice of final action is published in accordance with 25 Pa. Code Chapters 91, 92a, and 102 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 official file for each listed action can be reviewed at the DEP or delegated County Conservation District (CCD) office identified in the table for the action. DEP/CCD office contact information is listed as follows for Section I and is contained within the table for Section II. Additional information for permits issued under 25 Pa. Code Chapters 91 and 92a and Individual permits under 25 Pa. Code Chapter 102, including links to Individual Chapter 92a NPDES and WQM Permits, may be reviewed by generating the "Final Actions Report" on DEP's website at www.dep.pa.gov/CWPublicNotice.

DEP office contact information to review official files relating to the final actions in Section I is as follows:

DEP Southeast Regional Office (SERO)—2 E. Main Street, Norristown, PA 19401-4915. File Review Coordinator: 484-250-5910. Email: RA-EPNPDES_SERO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SERO@pa.gov for Chapter 102 permits.

DEP Northeast Regional Office (NERO)—2 Public Square, Wilkes-Barre, PA 18701-1915. File Review Coordinator: 570-826-5472. Email: RA-EPNPDES_NERO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NERO@pa.gov for Chapter 102 permits.

DEP Southcentral Regional Office (SCRO)—909 Elmerton Avenue, Harrisburg, PA 17110. File Review Coordinator: 717-705-4732. Email: RA-EPNPDES_SCRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SCRO@pa.gov for Chapter 102 permits.

DEP Northcentral Regional Office (NCRO)—208 W. Third Street, Suite 101, Williamsport, PA 17701. File Review Coordinator: 570-327-3693. Email: RA-EPNPDES_NCRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NCRO@pa.gov for Chapter 102 permits.

DEP Southwest Regional Office (SWRO)—400 Waterfront Drive, Pittsburgh, PA 15222. File Review Coordinator: 412-442-4286. Email: RA-EPNPDES_SWRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SWRO@pa.gov for Chapter 102 permits.

DEP Northwest Regional Office (NWRO)—230 Chestnut Street, Meadville, PA 16335. File Review Coordinator: 814-332-6078. Email: RA-EPNPDES_NWRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NWRO@pa.gov for Chapter 102 permits.

DEP Bureau of Clean Water (BCW)—400 Market Street, Harrisburg, PA 17105. File Review Coordinator: 717-787-5017. Email: RA-EPNPDES_Permits@pa.gov.

DEP Regional Permit Coordination Office (RPCO)—400 Market Street, Harrisburg, PA 17105. File Review Coordinator: 717-772-5987. Email: RA-EPREGIONALPERMIT@pa.gov.

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. 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. 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. Individuals 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. 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. Important legal rights are at stake, however, so individuals should contact a lawyer at once.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

For actions taken on applications for pipelines that are regulated by the Federal Energy Regulatory Commission (FERC).

Any person aggrieved by this action may challenge it in an appropriate legal forum. The State and Federal courts are currently split on whether the proper forum to challenge a Department permit, authorization or approval for a facility or activity subject to the Federal Natural Gas Act, 15 U.S.C.A. § 717 et seq., is the United States Court of Appeals for the Third Circuit or the Pennsylvania Environmental Hearing Board. See *Delaware Riverkeeper Network v. Sec'y, Dept of Env'tl. Prot.*, 833 F.3d 360 (3d Cir. 2016); *Delaware Riverkeeper Network v. Sec'y, Dept of Env'tl. Prot.*, 903 F.3d 65 (3d Cir. 2018), cert. denied, 139 S. Ct. 1648, 203 L. Ed. 899 (2019) and *Cole v. Dept. of Env'tl. Prot.*, 1577 C.D. 2019 WL 2420667 (Pa. Cmwlth Ct. June 15, 2021) (Pet. for Allowance of Appeal pending); *West Rockhill Twp. v. Dept of Env'tl. Prot.*, No. 1595 C.D. 2019 WL 2426014 (Pa. Cmwlth. June 15, 2021) (Pet. for Allowance of Appeal pending).

I. Final Action(s) on NPDES and WQM Permit Application(s) and NOIs for Sewage, Industrial Waste, Industrial Stormwater, MS4s, Pesticides, CAFOs and Individual Construction Stormwater.

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0088242	CAFO Individual NPDES Permit	Issued	Country View Family Farms, LLC 1301 Fulling Mill Road Middletown, PA 17057-5975	Taylor Township Fulton County	SCRO
PAD050016	Chapter 102 Individual NPDES Permit	Issued	Bedford Borough Municipal Authority 244 W Penn Street Bedford, PA 15522-1226	Bedford Borough Bedford County	SCRO
PAD230008	Chapter 102 Individual NPDES Permit	Issued	Middletown Township Delaware County 27 N Pennell Road Media, PA 19063-4543	Middletown Township Delaware County	SERO
PAD510221	Chapter 102 Individual NPDES Permit	Issued	Spark Therapeutics, Inc. 3025 Market Street Second Floor Philadelphia, PA 19104-2877	Philadelphia City Philadelphia County	SERO
PAD600009	Chapter 102 Individual NPDES Permit	Issued	Ritz Craft Corp PA 15 Industrial Park Road Mifflinburg, PA 17844-7992	Mifflinburg Borough Union County	NCRO
PA0276588	Industrial Stormwater Individual NPDES Permit	Issued	Gardner Cryogenics A Division of Air Products & Chemicals, Inc. 7662 Church Street Alburtis, PA 18011-9502	Lower Macungie Township Lehigh County	NERO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
0113811	Joint DEP/PFBC Pesticides Permit	Issued	Twin Lake I 26 Lake View Drive Gettysburg, PA 17325-8429	Cumberland Township Adams County	SCRO
0113818	Joint DEP/PFBC Pesticides Permit	Issued	Ruppert Elizabeth 489 Crum Road Fairfield, PA 17320-9234	Liberty Township Adams County	SCRO
0222800	Joint DEP/PFBC Pesticides Permit	Issued	Pine Township Allegheny County 230 Pearce Mill Road Wexford, PA 15090-8511	Pine Township Allegheny County	SWRO
0413802	Joint DEP/PFBC Pesticides Permit	Issued	Beaver County 469 Constitution Boulevard New Brighton, PA 15066-3105	Brighton Township Beaver County	SWRO
0413803	Joint DEP/PFBC Pesticides Permit	Issued	Beaver County 469 Constitution Boulevard New Brighton, PA 15066-3105	Marion Township Beaver County	SWRO
0615802	Joint DEP/PFBC Pesticides Permit	Issued	Green Hills Lake Association 1001 Lake View Drive Mohnton, PA 19540-7966	Robeson Township Berks County	SCRO
2113801	Joint DEP/PFBC Pesticides Permit	Issued	Stewart Doris 192 Carlisle Road Newville, PA 17241-9500	West Pennsboro Township Cumberland County	SCRO
2113806	Joint DEP/PFBC Pesticides Permit	Issued	Stough Steven 123 W Lisburn Road Mechanicsburg, PA 17055-5544	Upper Allen Township Cumberland County	SCRO
2113810	Joint DEP/PFBC Pesticides Permit	Issued	Lehrman Lou 995 Boiling Springs Road Mechanicsburg, PA 17055-9705	Monroe Township Cumberland County	SCRO
3613801	Joint DEP/PFBC Pesticides Permit	Issued	Victoria's Pond HOA 35 Briar Rose Trail Elizabethtown, PA 17022-9335	West Donegal Township Lancaster County	SCRO
3613815	Joint DEP/PFBC Pesticides Permit	Issued	Williammee Richard 1599 Sanctuary Road Manheim, PA 17545-8581	Penn Township Lancaster County	SCRO
3613847	Joint DEP/PFBC Pesticides Permit	Issued	Wenger Hugh 403 Trail Road N Elizabethtown, PA 17022-8430	Mount Joy Township Lancaster County	SCRO
3815801	Joint DEP/PFBC Pesticides Permit	Issued	Lebanon Co. Historical Society 924 Cumberland Street Lebanon, PA 17042-5139	North Lebanon Township Lebanon County	SCRO
6713802	Joint DEP/PFBC Pesticides Permit	Issued	Warehime Michael 6663 Moulstown Road E Hanover, PA 17331-6819	Heidelberg Township York County	SCRO
6713806	Joint DEP/PFBC Pesticides Permit	Issued	Maple Press Co. 480 Willow Springs Lane York, PA 17402	Manchester Township York County	SCRO
6713808	Joint DEP/PFBC Pesticides Permit	Issued	South Western School District 225 Bowman Road Hanover, PA 17331	Penn Township York County	SCRO
6713818	Joint DEP/PFBC Pesticides Permit	Issued	Shamenek Lou 795 Whisler Road Etters, PA 17319-9443	Newberry Township York County	SCRO
1501426	Land Application and Reuse of Sewage Individual WQM Permit	Issued	Bucks County Water & Sewer Authority 1275 Almshouse Road Warrington, PA 18976-1209	West Vincent Township Chester County	SERO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
0471408	Major Sewage Treatment Facility Individual WQM Permit	Issued	Hopewell Township Beaver County 1700 Clark Boulevard Aliquippa, PA 15001-4205	Hopewell Township Beaver County	SWRO
0900421	Major Sewage Treatment Facility Individual WQM Permit	Issued	Pennridge Wastewater Treatment Authority 180 Maple Avenue P.O. Box 31 Sellersville, PA 18960-0031	West Rockhill Township Bucks County	SERO
09646-S	Major Sewage Treatment Facility Individual WQM Permit	Issued	Allegheny County Sanitary Authority ALCOSAN 3300 Preble Avenue Pittsburgh, PA 15233-1025	Monroeville Borough Allegheny County	SWRO
PA0070483	Minor Industrial Waste Facility with ELG Individual NPDES Permit	Issued	Grand Central Sanitary Landfill, Inc. 910 Pennsylvania Avenue Pen Argyl, PA 18072-9709	Plainfield Township Northampton County	NERO
PA0043672	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Gen Dynamics Ordnance & Tactical System, Inc. 200 E High Street Red Lion, PA 17356-1426	Red Lion Borough York County	SCRO
PA0216151	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Apple Michael P.O. Box 130 1183 Executive Drive Glasgow, PA 16644-0130	Reade Township Cambria County	SWRO
PA0033669	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Oley Robert K P.O. Box 1775 Shavertown, PA 18708-0775	Dallas Township Luzerne County	NERO
PA0043583	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Hartley Township Municipal Authority Union County P.O. Box 175 Laurelton, PA 17835-0175	Hartley Township Union County	NCRO
PA0046159	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Municipal Sewer Authority of Houtzdale Borough 116 Sterling Avenue Houtzdale, PA 16651-1748	Woodward Township Clearfield County	NCRO
PA0047228	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Pennsbury Village Borough Allegheny County 1043 Pennsbury Boulevard Pittsburgh, PA 15205-1643	Pennsbury Village Borough Allegheny County	SWRO
0805201	Minor and Non-NPDES Industrial Waste Treatment Facility Individual WQM Permit	Issued	Cargill Meat Solutions Corp P.O. Box 188 1252 Route 706 Wyalusing, PA 18853-0188	Wyalusing Township Bradford County	NCRO
NOEXNW144	No Exposure Certification	Issued	Schlumberger Tech Corp 95 Rutherford Run Bradford, PA 16701-3713	Bradford City McKean County	NWRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
NOEXNW225	No Exposure Certification	Issued	BPI, Inc. 612 S Trenton Avenue Pittsburgh, PA 15221-3475	Hempfield Township Mercer County	NWRO
NOEXSE266	No Exposure Certification	Issued	Durham School Service LP 2601 Navistar Drive Lisle, IL 60532-3679	Wrightstown Township Bucks County	SERO
367S045	Pump Stations Individual WQM Permit	Issued	PA DCNR 225 Pleasant Valley Road Portersville, PA 16051-2031	Muddycreek Township Butler County	NWRO
4204401	Pump Stations Individual WQM Permit	Issued	Eldred Borough P.O. Box 270 3 Bennett Street Eldred, PA 16731-0270	Eldred Borough McKean County	NWRO
3622408	Sewer Extensions Individual WQM Permit	Issued	East Lampeter Sewer Authority Lancaster County 2250 Old Philadelphia Pike Lancaster, PA 17602-3417	East Lampeter Township Lancaster County	SCRO
PA0065315	Single Residence STP Individual NPDES Permit	Issued	Weideman Robert W 4279 Chestnut Drive Walnutport, PA 18088-9691	Lehigh Township Northampton County	NERO
PA0244121	Single Residence STP Individual NPDES Permit	Issued	Longo Michael and Longo Heather 131 Shea Lane Glenmoore, PA 19343-9508	Upper Uwchlan Township Chester County	SERO
PA0288152	Single Residence STP Individual NPDES Permit	Issued	Sevin Lisa 127 Sunset Road Grove City, PA 16127-3635	Muddycreek Township Butler County	NWRO
PA0288845	Single Residence STP Individual NPDES Permit	Issued	Bruce and Leslie Walton 14645 Black Bear Road West Palm Beach, FL 33418-8606	Cranberry Township Venango County	NWRO
PA0291226	Single Residence STP Individual NPDES Permit	Issued	Bable Michelle 712 New Castle Road Slippery Rock, PA 16057-4220	Worth Township Butler County	NWRO
1020405	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Sevin Lisa 127 Sunset Road Grove City, PA 16127-3635	Muddycreek Township Butler County	NWRO
1022413	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Bable Michelle 712 New Castle Road Slippery Rock, PA 16057-4220	Worth Township Butler County	NWRO
6120405	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Bruce and Leslie Walton 14645 Black Bear Road West Palm Beach, FL 33418-8606	Cranberry Township Venango County	NWRO
PA0052787	Small Flow Treatment Facility Individual NPDES Permit	Issued	Flatland Church 180 West Thatcher Road Quakertown, PA 18951	Richland Township Bucks County	SERO
PA0273139	Small Flow Treatment Facility Individual NPDES Permit	Issued	Haylett Ryan 13794 N Wayland Road Meadville, PA 16335	East Mead Township Crawford County	NWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
WQG01201503	WQG-01 WQM General Permit	Issued	Haylett Ryan 13794 N Wayland Road Meadville, PA 16335	East Mead Township Crawford County	NWRO

II. Final Action(s) on PAG-01 and PAG-02 General NPDES Permit NOIs.

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC090530	PAG-02 General Permit	Issued	Spinio Industrial Holdings, Inc. 1076 Bethlehem Pike Montgomeryville, PA 18936-9621	Tinicum Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577 x110 RA-EPNPDES_SERO@pa.gov
PAC090536	PAG-02 General Permit	Issued	Provco Pinegood Newtown, LLC 795 E. Lancaster Avenue Building 2 Suite 200 Villanova, PA 19085-1525	Newton Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577 x110 RA-EPNPDES_SERO@pa.gov
PAC150323	PAG-02 General Permit	Issued	Eric Reid 18 Raleigh Court Harleysville, PA 19438	East Pikeland Township Chester County	Chester County Conservation District 688 Unionville Road Kennett Square, PA 19348 610-455-1360 RA-EPNPDES_SERO@pa.gov
PAC150067	PAG-02 General Permit	Issued	Gourmet Delight Mushrooms Co P.O. Box 160 Avondale, PA 19311	London Grove Township Chester County	Chester County Conservation District 688 Unionville Road Kennett Square, PA 19348 610-455-1360 RA-EPNPDES_SERO@pa.gov
PAC150069	PAG-02 General Permit	Issued	Windmill Hollow Property, Inc. 1653 Brintons Bridge Road Chadds Ford, PA 19317	Pennsbury Township Chester County	Chester County Conservation District 688 Unionville Road Kennett Square, PA 19348 610-455-1360 RA-EPNPDES_SERO@pa.gov
PAC080072	PAG-02 General Permit	Issued	Repsol Oil & Gas USD, LLC 337 Daniel Zenker Drive Horseheads, NY 14845	Wells Township Wellsboro Bradford County	Bradford County Conservation District 200 Lake Road Suite E Towanda, PA 18848 570-265-5539
PAC140149	PAG-02 General Permit	Issued	Marquis Estate Development, LLC 737 West Beaver Avenue State College, PA 16801	College Township Chester County	Centre County Conservation District 414 Holmes Avenue Suite 4 Bellefonte, PA 16823 814-355-6817

NOTICES

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC170060	PAG-02 General Permit	Issued	Rusty Gate Apts LLC c/o Wesley Smith Chestnut Avenue DuBois, PA 15801	Sandy Township Clearfield County	Clearfield County Conservation District 6395 Clearfield- Woodland Highway Suite 2 Clearfield, PA 16830 814-765-2629
PAC170064	PAG-02 General Permit	Issued	Moshannon Valley School District 4934 Green Acre Road Houtzdale, PA 16651	Bigler Township Clearfield County	Clearfield County Conservation District 6395 Clearfield- Woodland Highway Suite 2 Clearfield, PA 16830 814-765-2629
PAC070108	PAG-02 General Permit	Issued	Logan Township Supervisors David Pozgar 100 Chief Logan Circle Altoona, PA 16602	Logan Township Blair County	Blair County Conservation District 1407 Blair Street Holidaysburg, PA 16648 814-696-0877 ext. 5 RA-EPSCWWPABULL@ pa.gov
PAC360790	PAG-02 General Permit	Issued	Stephen King 341 Rosedale Road Kinzer, PA 17536	Colerain Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-874-2520 RA-EPSCWWPABULL@ pa.gov
PAC360780	PAG-02 General Permit	Issued	Christ Fisher 102 Lloyds Road Oxford, PA 19363	Providence Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-874-2520 RA-EPSCWWPABULL@ pa.gov
PAC360403 A-1	PAG-02 General Permit	Issued	Hogan, Herr and Wolf II 616 Paxton Place Suite 100 Lititz, PA 17543	Lancaster Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361 ext. 5 RA-EPSCWWPABULL@ pa.gov
PAC360774	PAG-02 General Permit	Issued	Lancaster City 120 N. Duke Street Lancaster, PA 17608	City of Lancaster Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361 ext. 5 RA-EPSCWWPABULL@ pa.gov
PAC360766	PAG-02 General Permit	Issued	Blemon Property Management Group 88 Linda Avenue Lancaster, PA 17602	East Hempfield Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361 ext. 5 RA-EPSCWWPABULL@ pa.gov

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC210289	PAG-02 General Permit	Issued	Evercor Facility Management, Inc. 902 Wyoming Avenue Wyoming, PA 18644	Carlisle Borough Cumberland County	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717-240-7812 RA-EPSCWWPABULL@pa.gov
PAC670100 A-2	PAG-02 General Permit	Issued	Faire Wynd Associates LP Joel McNaughton 4400 Deer Path Road Suite 201 Harrisburg, PA 17110	Dover Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717-840-7430 RA-EPSCWWPABULL@pa.gov
PAC350019	PAG-02 General Permit	Issued	Morgan Highway Auto Parts 400 Morgan Highway Scranton, PA 18508	City of Scranton Lackawanna County	Lackawanna County Conservation District 1027 South Abington Road South Abington Township, PA 18411 570-382-3086 RA-EPWW-NERO@pa.gov
PAC230237	PAG-02 General Permit	Issued	Aronimink Golf Club 3600 St. David's Road Newtown Square, PA 19073-1710	Newtown Township Delaware County	Delaware County Conservation District Rose Tree Park Hunt Club 1521 N. Providence Road Media, PA 19063 610-892-9484 RA-EPNPDES_SERO@pa.gov

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. 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.

Individuals in need of accommodations should contact the Environmental Hearing Board through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

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).

Northeast Region: Safe Drinking Water Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Terri Yench, Clerical Assistant 2, 570-830-3048.

Operation Permit No. 3480049, Public Water Supply.
Applicant **East Bangor Municipal Authority**

Address 555 West Central Avenue
East Bangor, PA 18013

Municipality East Bangor Borough

County **Northampton County**

Consulting Engineer John Barbaz, P.E.
Van Cleef Engineering Associates
1685 Valley Center Parkway
Suite 100
Bethlehem, PA 18017

Application Received November 18, 2022

Permit Issued November 18, 2022

Description Operations Permit for the South
Broad Street Reservoir Floating
Cover & Liner Rehabilitation
Project.

*Southcentral Region: Safe Drinking Water Program,
909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-
705-4700.*

*Contact: Darin Horst, Environmental Engineer, 717-
705-4708.*

Operation Permit No. 0621503, Public Water Supply.

Applicant **Giorgio Foods, Inc.**

Address P.O. Box 96
Temple, PA 19560

Municipality Maiden creek Township

County **Berks County**

Consulting Engineer Spotts, Stevens, and McCoy
1047 North Park Road
Reading, PA 19610

Application Received December 12, 2022

Permit Issued December 16, 2022

Description Partial operation permit for
replacement of the three existing
finished water storage tanks
with five new storage tanks, and
modifications to the existing
softening and disinfection
facilities.

Transfer Permit No. 7280045, Public Water Supply.

Applicant **York Water Company**

Address 130 East Market Street
York, PA 17401

Municipality Greene Township

County **Franklin County**

Application Received August 30, 2022

Permit Issued December 12, 2022

Description Transfer of all public water
supply permits for PWS ID No.
7280045 from Franklin County
General Authority to the York
Water Company.

Operation Permit No. 3622504 MA, Public Water
Supply.

Applicant **City of Lancaster**

Address 120 North Duke Street
P.O. Box 1599
Lancaster, PA 17608

Municipality City of Lancaster

County **Lancaster County**

Consulting Engineer ARRO Consulting, Inc.
108 West Airport Road
Lititz, PA 17543

Application Received December 6, 2022

Permit Issued December 7, 2022

Description Partial operation permit for use
of chemical feed pump
replacements at the Conestoga
water treatment plant.

Operation Permit No. 2822504 MA, Public Water
Supply.

Applicant **Bear Valley Joint Authority**

Address 218 School House Road
St. Thomas, PA 17252

Municipality Saint Thomas Township

County **Franklin County**

Consulting Engineer Gwin, Dobson & Foreman, Inc.
3121 Fairway Drive
Altoona, PA 16602

Application Received December 8, 2022

Permit Issued December 8, 2022

Description Partial operation permit
approving use of the 720 feet of
42-inch diameter contact piping
at the Broad Run Treatment
Plant.

Operation Permit No. 3621527, Public Water Supply.

Applicant **Warwick Township
Municipal Authority**

Address 315 Clay Road
Lititz, PA 17543

Municipality Warwick Township

County **Lancaster County**

Consulting Engineer Entech Engineering, Inc.
201 Penn Street
P.O. Box 32
Reading, PA 19603

Application Received December 16, 2022

Permit Issued December 20, 2022

Description Operation of the three
replacement domestic pumps at
the Newport Road booster pump
station.

**Actions Taken Under the Pennsylvania Safe Drink-
ing Water Act (35 P.S. §§ 721.1—721.17).**

*Southcentral Region: Safe Drinking Water Program,
909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-
705-4700.*

*Contact: Wade Cope, P.E., Environmental Engineer, 717-
705-4708.*

Operation Permit 6721513 MA, PWSID No. **7670024**.
Liquid Management, LLC, 184 Meadowbrook Court,

New Cumberland, PA 17070, Fairview Township, **York County**. Application received: December 16, 2022. Permit Issued: December 20, 2022. Partial-operation permit for the operation of the Well No. 2 improvements and the interconnection between the north and south systems.

Southwest Region: Safe Drinking Water Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Renee Diehl, Program Manager, ra-epswsdw@pa.gov.

Construction/Operation Permit 5046494. PWSID No. **5046494.** **Dalton's Service Company, LLC**, 1230 Mercer Road, Ellwood City, PA 16117, City of Beaver Falls, **Beaver County**. Application received: March 31, 2022. Permit Issued: December 21, 2022. Dalton's bulk water hauling system including two bulk transport tanks and one fill station.

Construction Permit 5622507. PWSID No. **4560037.** **Hooversville Borough**, 50 Main Street, P.O. Box 176, Hooversville, PA 15936, Hooversville Borough, **Somerset County**. Application received: July 11, 2022. Permit Issued: December 22, 2022. Construction of an interconnection with the Conemaugh Township Municipal Authority (including 9,000 linear feet of waterline and appurtenances and the Hooversville Pump Station) to use as a new source; and the installation of approximately 14,000 linear feet of waterline and appurtenances to replace lines throughout the Hooversville distribution system.

Construction Permit 0221535. PWSID No. **5020085.** **Seneca Place**, 3600 Forbes Avenue, Suite 10072, Pittsburgh, PA 15213, Ohara Township, **Allegheny County**. Application received: June 2, 2022. Permit Issued: November 14, 2022. Construction of a liquid chlorine (sodium hypochlorite) secondary disinfection treatment unit at the UPMC Senior Living Community Facility, Lighthouse Pointe at Chapel Harbor.

Transfer Permit 3022507-T1. PWSID No. **5300017.** **Southwestern Pennsylvania Water Authority**, P.O. Box 187, 1442 Jefferson Road, Jefferson, PA 15344, Cumberland Township, **Greene County**. Application received: August 23, 2022. Permit Issued: November 18, 2022. Transfer of the Municipal Authority of the Borough of Carmichaels water supply system permits to Southwestern Pennsylvania Water Authority.

Construction Permit 0422510. PWSID No. **5040019.** **UMH Properties, Inc.**, 150 Clay Street, Suite 450, Morgantown, WV 26501, Independence and Hanover Townships, **Beaver County**. Application received: June 14, 2022. Permit Issued: November 18, 2022. Replace Wells # 5 and # 9 with new Well # 11 at Independence Park and update its status to permanent. Includes changes to peak production capacity under the GWR, and addition of new treatment process for total dissolved solids via reverse osmosis.

Operation Permit 0220523MA. PWSID No. **5020038.** **Pittsburgh Water and Sewer Authority**, Penn Liberty Plaza 1, 1200 Penn Avenue, Pittsburgh, PA 15222, City of Pittsburgh, **Allegheny County**. Application received: December 1, 2022. Permit Issued: December 13, 2022. Operation of Highland Rising Main 3 and 100 linear feet of Rising Main 4.

Operation Permit 0221507MA. PWSID No. **5020038.** **Pittsburgh Water and Sewer Authority**, Penn Liberty Plaza 1, 1200 Penn Avenue, Pittsburgh, PA 15222, City of Pittsburgh, **Allegheny County**. Application received: November 28, 2022. Permit Issued: December 13, 2022. Two

peristaltic metering pumps at each of the Highland No. 2 Reservoir, Lanpher, Brashear, Bedford, and McNaugher booster pump stations.

Construction Permit 3022508. PWSID No. **5300017.** **Southwestern Pennsylvania Water Authority**, P.O. Box 187, 1442 Jefferson Road, Jefferson, PA 15344, Cumberland Township, **Greene County**. Application received: August 2, 2022. Permit Issued: December 20, 2022. Construction of a SeaQuest chemical feed system to serve as a method of corrosion control treatment.

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.

Southcentral Region: Clean Water Program, 909 Elmerston Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Richard Barrett, Sewage Planning Specialist, 814-946-7378.

Plan Location:

Municipality	Address	County
Greenfield Township	477 Ski Gap Road Claysburg, PA 16625	Blair County

Plan Description:

George Harbaugh Property, A3-07913-190-3s. Approval of a revision to the official plan of Greenfield Township, **Blair County**. The project is known as George Harbaugh Property SFTF. The plan provides for the installation of a small flow treatment facility with a discharge into an unnamed tributary to the Frankstown Branch of the Juniata River, for a proposed 3-bedroom residential dwelling on a 2.0-acre lot. The property is located at 564 Maple Lane. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. The DEP Code Number for this planning module is A3-07913-190-3s and the APS ID is 1073925. Any permits must be obtained in the name of the property owner.

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 of Environmental Protection (DEP) 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, please contact the Regional Office Program Manager previously listed in the notice.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

The Department has received the following plans and reports.

Northcentral Region: Environmental Cleanup & Brownfields Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

Contact: Randy Farmerie, P.G., Environmental Program Manager, 570-327-3716.

Newpark Drilling Fluids, Primary Facility ID # **860786**, 2780 Mosser Avenue, Williamsport, PA 17701, City of Williamsport, **Lycoming County**. Weaver Consultants Group, LLC, 2225 Sycamore Street, Harrisburg, PA 17110, on behalf of Newpark Drilling Fluids, 21920 Merchants Way, Katy, TX 77449, submitted a Final Report concerning remediation of soil contaminated with oil-based drilling fluids. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

Hattie N 2H on the Hattie BRA Pad, Primary Facility ID # **861270**, 211 Dietz Road, Sugar Run, PA 18846, Wilmot Township, **Bradford County**. Creston Environmental, LLC, P.O. Box 1373, Camp Hill, PA 17001, on behalf of Chesapeake Appalachia, LLC, 14 Chesapeake Lane, Sayre, PA 18840, submitted a Final Report concerning remediation of soil contaminated with produced water. The Final Report is intended to document remediation of the site to meet the Statewide health and background standards.

Pride of Texas Logistics, LC Diesel Fuel Cleanup, Primary Facility ID # **858088**, Route 15 near Steam Valley exit, Trout Run, PA 17771, Cogan House Township, **Lycoming County**. EnviroServe, Inc., 254 Reitz Avenue, Winfield, PA 17889, on behalf of Pride of Texas Logistics, LC, 20 South Third Street, Suite 210, Columbus, OH 43215, submitted a Final Report concerning remediation of soil contaminated with diesel fuel. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: Charline Bass, Administrative Assistant, 484-250-5787.

6800 Essington Avenue, Primary Facility ID # **853185**, 6800 Essington Avenue, Philadelphia, PA 19153, City of Philadelphia, **Philadelphia County**. Julie

Baniewicz, Apex Companies, LLC, 100 Arrandale Boulevard, Suite 203, Exton, PA 19153, on behalf of Liam Sullivan, 6800 Essington Partners, LLC, 414 South 16th Street, Suite 100, Philadelphia, PA 19146, submitted a Remedial Investigation Report concerning remediation of soil and groundwater contaminated with benzene, ethylbenzene, methylene chloride, MTBE, 1,2,4-TMB, tetrachloroethene, benzo(a)pyrene, arsenic, lead, benzo(b)-fluoranthene, benzo(k)fluoranthene, benzo(g,h,i)perylene, and benzo(a)pyrene. The Remedial Investigation Report is intended to document remediation of the site to meet the site-specific standards.

Sharswood Development, Primary Facility ID # **846210**, 2015-2077 Ridge Avenue, Philadelphia, PA 19121, City of Philadelphia, **Philadelphia County**. Shad Manning, REPSG, Inc., 6901 Kingsessing Avenue, Second Floor, Philadelphia, PA 19142, 6901 Kingsessing Avenue, Second Floor, Philadelphia, PA 19142, on behalf of Leslie Smallwood-Lewis, Sharswood Partners, LP, 3525 I Street, Philadelphia, PA 19134, PA 19134, submitted a Final Report concerning remediation of soil contaminated with benzo(a)pyrene, benzo(b)fluoranthene, indeno(1,2,3-cd)pyrene, arsenic and vanadium. The Final Report is intended to document remediation of the site to meet the site-specific standards.

Southwest Region: Environmental Cleanup & Brownfields Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Kam Miseikyte, Clerical Assistant 2, 412-442-4091.

CNX GH5 Well Pad, Primary Facility ID # **863075**, 394 Lightner Road, Sycamore, PA 15364, Center Township, **Greene County**. Penn Environmental & Remediation, 111 Ryan Court, Pittsburgh, PA 15205, on behalf of CNX Gas Company, LLC, 1000 Horizon Vue Energy Drive, Canonsburg, PA 15317, submitted a Final Report concerning remediation of soil contaminated with aluminum, barium, boron, iron, lithium, manganese, selenium, strontium, vanadium, and zinc. The Final Report is intended to document remediation of the site to meet the Statewide health and background 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 of Environmental Protection (DEP) 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 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.

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 DEP may approve or disapprove plans and reports submitted. This notice provides DEP's decision and, if relevant, the basis for disapproval.

For further information concerning plans or reports, please contact the Regional Office Program Manager previously listed in the notice.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

The DEP has received the following plans and reports.

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

Contact: Eric Supey, Environmental Program Manager.

Koromlan Property, Primary Facility ID # **737644**, 4563 State Route 3004, Meshoppen, PA 18630, Auburn Township, **Susquehanna County**. Creston Environmental, P.O. Box 1373, Camp Hill, PA 17001, on behalf of Chesapeake Appalachia LLC, 14 Cheaspeake Lane, Sayre, PA 18840, submitted a Final Report concerning remediation of soil contaminated with releases of production fluid (brine). The Final Report demonstrated attainment of the Statewide health standards. Approved: December 19, 2022.

Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: Charline Bass, Administrative Assistant, 484-250-5787.

Bridgeport Garage, Inc., Primary Facility ID # **855098**, 17-25 West 4th Street, Bridgeport, PA 19405, Bridgeport Borough, **Montgomery County**. Sean Fullmer, PG, Compliance Management International, 1350 Welsh Road, Suite 200, North Wales, PA 19454, on behalf of Teresa L. Oliveri, Bridgeport Garage, Inc, 4002 Center Avenue, Lafayette Hill, PA 19444, submitted a combined Remedial Investigation Report/Cleanup Plan/Final Report concerning remediation of soil contaminated with leaded and unleaded gasoline. The Report did not demonstrate attainment of the site-specific standards. Issued a technical deficiency letter: December 13, 2022.

2630 West Girard Avenue, Primary Facility ID # **856445**, Southeast Corner of North 27th Street & West Girard Avenue, Philadelphia, PA 19130, City of Philadelphia, **Philadelphia County**. Jennifer Poole, Pennoni, 1900 Market Street, Suite 300, Philadelphia, PA 19103, on behalf of Dan Bleznak, 27th and Girard Limited Partnership, c/o ADCO, American Development Company, 715 Montgomery Avenue, Suite 3, Narberth, PA 19072, submitted a Final Report concerning remediation of soil contaminated with metals and PAHs. The Report did not demonstrate attainment of the Statewide health standards. Issued a technical deficiency letter: December 9, 2022.

4 Woodland Road, Primary Facility ID # **860254**, 4 Woodland Road, Newtown, PA 18940, Upper Makefield Township, **Bucks County**. Ryan B. Beebe, Crawford Environmental Services, LLC, 20 Cardinal Drive, Birdsboro, PA 19508, on behalf of Joe Clemenson, JC Heating & Cooling, 181 Fallsington-Tullytown Road, Levittown, PA 19054, submitted a Final Report concerning remediation of soil contaminated with benzene, toluene, ethylbenzene, MTBE, naphthalene, cumene, 1,2,4-trimethylbenzene, and 1,3,5-trimethylbenzene. The Final Report demonstrated attainment of the Statewide health standards. Approved: December 12, 2022.

Gasoline Retail Facility, Primary Facility ID # **848942**, 320 South West End Boulevard, Quakertown, PA 18951, Quakertown Borough, **Bucks County**. Andrew Markoski, PG, Patriot Environmental Management, LLC, 2404 Brown Street, Pottstown, PA 19464, on behalf of John Edge, KBJM Real Estate, LLC, 220 South Eleventh Street, Quakertown, PA 18951, submitted a Remedial Investigation Report concerning remediation of soil and groundwater contaminated with petroleum constituents. The Report did not demonstrate attainment of the site-specific standards. Issued a technical deficiency letter: December 12, 2022.

Southwest Region: Environmental Cleanup & Brownfields Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Kam Miseikyte, Clerical Assistant 2, 412-442-4091.

EQT Trax Farm Well Pad, Primary Facility ID # **861781**, 6390 State Route 88, Finleyville, PA 15332, Union Township, **Washington County**. Moody and Associates, Inc., 1720 Washington Road, Suite 100, Washington, PA 15301, on behalf of EQT Corporation, 625 Liberty Avenue, 17th Floor, Pittsburgh, PA 15222, submitted a Final Report concerning remediation of soil contaminated with aluminum, barium, boron, iron, lithium, manganese, selenium, vanadium, zinc, and chloride. The Final Report did not demonstrate attainment of the Statewide health standards. Issued a technical deficiency letter: December 20, 2022.

EQT Kevech Well Pad, Primary Facility ID # **847190**, 116 Kevech Road, Monongahela, PA 15063, Fallowfield Township, **Washington County**. Moody and Associates, Inc., 1720 Washington Road, Suite 100, Washington, PA 15301, on behalf of EQT Corporation, 625 Liberty Avenue, 17th Floor, Pittsburgh, PA 15222, submitted a Final Report concerning remediation of soil contaminated with aluminum, barium, boron, iron, lithium, manganese, selenium, strontium, vanadium, zinc, and chloride. The Final Report demonstrated attainment of the Statewide health and background standards. Approved: December 20, 2022.

**REGISTRATION FOR MUNICIPAL WASTE
GENERAL PERMITS**

Actions(s) Taken on Registration(s) Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities and/or the Beneficial Use of Municipal Waste.

Southcentral Region: Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Anthony L. Rathfon, Program Manager.

WMGM042SC006. Reinford-Frymoyer Farms, LLC, 5272 Cedar Spring Road, Mifflintown, PA 17059, Walker Township, **Juniata County.** This permit renews Reinford-Frymoyer Farm's coverage under WMGM042, which authorizes the anaerobic digestion of animal manure on a farm mixed with grease trap waste and/or pre-consumer and post-consumer food waste from commercial and institutional establishments, or industrial food manufacturing operations; and the use of a depackaging unit(s) to mechanically separate the pre- and post-consumer food waste from its packaging, prior to anaerobic digestion. It also authorizes the beneficial use of the methane gas produced by the anaerobic digestion as fuel, including the production of electricity; the use of the waste solids from the digester as animal bedding material at the farm; and the liquid/solids removed from the digester as a soil additive for agricultural purposes. Application received: August 3, 2022. Renewal issued: December 15, 2022.

Persons interested in reviewing the permit may contact John L. Oren, P.E., Permits Chief, Southcentral Region, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

**DETERMINATION OF APPLICABILITY FOR
RESIDUAL WASTE GENERAL PERMITS**

Actions(s) Taken on Permit(s) Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Residual Waste Regulations for Determination of Applicability for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other than Coal Ash.

Southwest Region: Waste Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Waste Management Program Manager.

WMGR123SW019. Hydro Recovery, LP, 1975 Waddle Road, State College, PA 16803, Hanover Township, **Washington County.** A minor modification approving the installation of a temporary pipeline to support the completion of a nearby well at the Hydro Recovery Washington Facility. The general permit authorizes the processing and beneficial use of oil and gas liquid waste

to be used as a water supply to develop or hydraulically fracture an oil or gas well. Application received: October 4, 2022. Issued: December 20, 2022.

Persons interested in reviewing the permit may contact Regional Files (412-442-4100), Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

**OPERATE WASTE PROCESSING OR DISPOSAL
AREA OR SITE**

Actions(s) Taken on Permit(s) Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Regulations to Operate Solid Waste Processing or Disposal Area or Site.

Northcentral Region: Waste Management Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

Contact: Lisa D. Houser, P.E., Facilities Manager, 570-327-3740.

100904. Centre County Recycling and Refuse Authority, 254 Transfer Road, Bellefonte, PA 16823, College Township, **Centre County.** Renewal permit application for the operation of the Dale Summit municipal waste transfer station. Application received: March 30, 2022. Accepted: November 28, 2022. Issued: December 21, 2022.

Persons interested in reviewing the permit may contact Lisa D. Houser, P.E., Facilities Manager, 570-327-3740, Northcentral Region, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

300709. Morgan Advanced Metal & Technology, 1118 East Second Street, Coudersport, PA 16915, Eulalia Township, **Potter County.** Minor permit modification for the closed residual waste landfill at the Morgan AM&T Facility, reducing the frequency of groundwater monitoring from semi-annually to annually. Application received: November 1, 2022. Accepted: December 7, 2022. Issued: December 8, 2022.

Persons interested in reviewing the permit may contact Lisa D. Houser, P.E., Facilities Manager, 570-327-3740, Northcentral Region, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

100955. Clinton County Solid Waste Authority, 264 Landfill Lane, P.O. Box 209, McElhattan, PA 17748-0209, Wayne Township, **Clinton County.** Minor permit modification for the operation of Wayne Township Landfill approving changes to the Phasing Development Plan for Cells 6 and 7 and bonding worksheet updates increasing total bond amount. Application received: September 16, 2022. Accepted: November 23, 2022. Issued: December 8, 2022.

Persons interested in reviewing the permit may contact Lisa D. Houser, P.E., Facilities Manager, 570-327-3740, Northcentral Region, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

Southwest Region: Waste Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Waste Management Program Manager.

100620. Allied Waste Systems of Pennsylvania, LLC, 11 Boggs Road, Imperial, PA 15126, Findlay Township, **Allegheny County**. A minor modification to the Imperial Landfill permit authorizing disposal of putrescible waste in a previously designated non-putrescible waste disposal area in the northeast portion of Area 7. Application received: January 10, 2022. Issued: December 16, 2022.

Persons interested in reviewing the permit may contact Regional Files, Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4100. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

AIR QUALITY

Actions(s) Taken on General Plan Approval(s) and Operating Permit(s) 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 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

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

AG5-59-00009C: NFG Midstream Wellsboro, LLC, 6363 Main Street, Williamsville, NY 14221, Delmar Township, **Tioga County**. The Department authorized construction and operation of one (1) 1,900 bhp GE Waukesha model VHP-L7044GSI S5 four stroke, rich-burn, natural gas-fired compressor engines, equipped with non-selective catalytic reduction (ENG-002) and the continued operation of the existing sources pursuant to the General Plan Approval and/or General Operating Permit for Compression Stations, Processing Plants and Transmission Stations (BAQ-GPA/GP-5) at the Wellsboro Tract 007 Compressor Station. Application received: November 21, 2022. Authorized: December 19, 2022.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Raymond Kempa, New Source Review Chief, 570-826-2531.

GP9-35-031: Mark Construction Services, Inc., 4000 4th Street, Moosic, PA 18507, Moosic Borough, **Lackawanna County**. To install and operate three (1) Diesel I/C engines at 4753 Birney Avenue. Application received: November 9, 2022. Issued: December 8, 2022.

AG5-58-00001E: Susquehanna Gathering Company 1, LLC, 1429 Oliver Road, Suite 500, New Milford, PA 18834, New Milford Township, **Susquehanna County**. To operate twelve (12) IC Engines, one (1) emergency generator, one (1) dehydrator with reboiler and flash separator, one (1) enclosed flare, one (1) fuel gas heater, and three (3) condensate tanks at the CDP No. 1 Compressor Station. Application received: November 3, 2022. Issued: December 9, 2022.

GP3-35-031: Mark Construction Services, Inc., 4000 4th Street, Moosic, PA 18507, Moosic Borough,

Lackawanna County. To construct and operate a Portable Crushing Operation with water sprays. Application received: November 1, 2022. Issued: December 8, 2022.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Thomas Joseph, P.E., Facilities Permitting Chief, 412-442-4336.

11-00498: Pets After Life Services, 3215 Frankstown Rd, Portage, PA 15946, Portage Township, **Cambria County**. For authorization to operate one (1) USB20 (Sierra 500) propane-fired animal crematory incinerator pursuant to the General Plan Approval and/or General Operating Permit for Human or Animal Crematories (BAQGPA/GP-14) at the Pets After Life Services facility located in Portage Township, Cambria County. Application received: December 1, 2022. GP coverage issued: December 22, 2022.

Actions(s) Taken on Plan Approval(s) Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and Regulations in 25 Pa. Code Chapter 127, Subchapter B Relating to Construction, Modification and Reactivation of Air Contamination Sources and Associated Air Cleaning Devices.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Raymond Kempa, New Source Review Chief, 570-826-2531.

48-00084B: L & M Fabrication and Machine, Inc., 7230 Beth-Bath Pike, Bath, PA 18014, East Allen Township, **Northampton County**. To issue a Plan Approval for the operation of one (1) 4,800 CFM baghouse to control dust from a metal cutting operation. Application received: May 27, 2022. Issued: November 29, 2022.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Sheri Guerrieri, P.E., New Source Review Chief, 412-442-4174.

PA-04-00443A: Evoqua Water Technologies, LLC, 118 Park Road, Darlington, PA 16115, Darlington Township, **Beaver County**. This Plan Approval was issued to authorize the replacement in kind of two afterburners No. 2 and No. 3, the scrubber air pollution control system (APC), and its associated scrubber building at Evoqua's existing Darlington Carbon Reactivation Facility located in Darlington Township, Beaver County. Application received: March 23, 2022. Accepted: December 21, 2022.

Plan Approval Revision(s) Issued Including Extension(s), Minor Modification(s) and Transfer(s) of Ownership Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

Northcentral Region: Air Quality Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

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

18-00005E: Eastern Gas Transmission & Storage, Inc., 6603 West Broad Street, Richmond, VA 23230, Leidy

Township, **Clinton County**. The company was issued a plan approval extension for the temporary operation of the source authorized under the plan approval while the source awaits confirmation of compliance demonstration. Application received: December 7, 2022. Extension: December 22, 2022.

41-00084C: Hamilton Patriot, LLC, 50 Patriot Lane, Montgomery, PA 17752, Clinton Township, **Lycoming County**. The company was issued a plan approval extension for the temporary operation of the source authorized under the plan approval at the company's Hamilton Patriot Generation Plant while the source awaits confirmation of compliance demonstration. Application received: December 1, 2022. Extension: December 22, 2022.

59-00035A: Empire Pipeline, Inc., 6363 Main Street, Williamsville, NY 14221, Jackson Township, **Tioga County**. The company was issued a plan approval extension for the temporary operation of the sources authorized under the plan approval located at the Jackson Compressor Station while the sources await confirmation of compliance demonstration. Application received: November 22, 2022. Extension: December 22, 2022.

Operating Permit(s) 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.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Norm Frederick, 570-826-2409.

45-00031: Ardent Mills, LLC/Mt Pocono, 1875 Lawrence St, Ste 1400, Mt Pocono, PA 80202-1854, Pocono Township, **Monroe County**. The Department issued a State-Only (Synthetic) Minor Permit for the manufacturing of flour and other grain mill products facility in Pocono Township, Monroe County. The sources at this facility consist of wheat receiving, transferring, screening, and loading. The control devices consist of baghouses, cleaning houses, and purifiers. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP), and VOC's. The proposed Operating Permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations. Application received: May 3, 2022. Renewal issued: December 5, 2022.

48-00022: Ardent Mills LLC/Martins Creek Flour Mill, 4888 S Delaware Dr., Martins Creek, PA 18063, Lower Mount Bethel Township, **Northampton County**. The Department issued a State-Only (Synthetic) Minor Permit for the manufacturing of flour and other grain mill products facility in Lower Mount Bethel Township, Northampton County. The sources at this facility consist of wheat receiving and handling, and loading. The control devices consist of elevator and cleaning houses. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP), and VOC's. The proposed Operating Permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations. Application received: May 10, 2022. Renewal issued: December 15, 2022.

48-00023: Ardent Mills LLC/Martins Creek Grain Elevator, 4888 S Delaware Dr., Martins Creek, PA 18063, Lower Mount Bethel Township, **Northampton County**. The Department issued a State-Only (Synthetic) Minor Permit for the manufacturing of flour and other grain mill products facility in Lower Mount Bethel Township, Northampton County. The sources at this facility consist of wheat receiving and handling, cleaning, and Flour Mill. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP), and VOC's. The proposed Operating Permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations. Application received: May 10, 2022. Renewal issued: December 14, 2022.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

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

46-00076: Greene, Tweed & Company, Inc., 2075 Detwiler Road, Kulpville, PA 19443, Towamencin Township, **Montgomery County**. For the renewal of a State Only (Natural Minor) Operating Permit for the manufacturing of gaskets and sealing devices for use in aerospace, energy, and other industries. Application received: July 29, 2021. Issued: December 22, 2022.

46-00251: Anders Detwiler Funeral Home, 130 East Broad Street, Souderton, PA 18964, Souderton Borough, **Bucks County**. For the renewal of a State Only Operating Permit for the operation of a dual chamber human crematory unit, manufactured by Matthews Cremation Division. Application received: February 4, 2022. Issued: December 22, 2022.

15-00042: PA Department of Military and Veterans Affairs—Southeastern Veterans Center, 1 Veterans Drive, Spring City, PA 19475-1241, East Vincent Township, **Chester County**. For the renewal of a Synthetic Minor Operating Permit for the operation of two (2) gas-fired boilers, six (6) emergency generator engines, and one (1) fire pump engine. Application received: June 28, 2021. Issued: December 22, 2022.

46-00134: The Hill School, 860 Beech Street, Pottstown, PA 19464, Pottstown Borough, **Montgomery County**. For the renewal of a State Only Operating Permit for the operation of various combustion sources, which consists of three (3) boilers, four (4) emergency electric generator engines, and one (1) non-emergency chiller engine. Application received: July 25, 2022. Issued: December 22, 2022.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Muhammad Q. Zaman, Program Manager, 570-327-3648 or Mark A. Gorog, Program Manager, 412-442-4150.

65-000378: Buckeye Terminals LLC, 134 BP Tank Lane, Greensburg, PA 15601, Hempfield Township, **West-**

moreland County. The company was issued a renewal of their State Only (Synthetic Minor) Operating Permit for their Greensburg terminal. The Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping, reporting and testing conditions to ensure compliance with applicable Federal and State air quality regulations. Application received: December 21, 2018. Renewal issued: December 19, 2022.

Contact: Thomas Joseph, P.E., Facilities Permitting Chief, 412-442-4336.

11-00497: Gautier Steel Ltd., 80 Clinton St., Johnstown, PA 15901, City of Johnstown, **Cambria County.** The Department issued a renewal natural minor State Only Operating Permit for a hot-rolled steel plant. The Operating Permit includes conditions relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting, and work practice standards requirements at their facility located in Johnstown City, Cambria County. Application received: June 2, 2022. Deemed administratively complete: July 28, 2022. Issued: December 14, 2022.

Operating Permit Revisions Issued Including Administrative Amendments, Minor Modifications or Transfer of Ownership Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

Northcentral Region: Air Quality Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

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

60-00012: Ritz Craft Corporation of PA, Inc., 15 Industrial Park Drive, Mifflinburg, PA 17844, Mifflinburg Borough, **Union County.** The company was issued a modified State only Operating Permit on December 19, 2022, for the replacement of an existing fabric collector to control the particulate matter emissions from woodworking equipment at their facility. The modified State Only Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions. Application received: July 18, 2022. Permit issued: December 7, 2018. Revised: December 20, 2022.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.

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

25-00970: F3 Metalworx Inc., 12069 East Main Road, North East, PA 16428-3641, North East Township, **Erie County.** The Department issued an administrative amendment to the Natural Minor State Only Operating Permit to incorporate the change in responsible official and permit contact for the facility. Application received: October 24, 2022. Issued: December 14, 2022.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

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

09-00168: Fiberglass Technologies, Inc., 1610 Hanford Street, Levittown, PA 19057, Bristol Township,

Bucks County. For an administrative amendment to/ modification of a State Only (Synthetic Minor) Operating Permit for Fiberglass Technologies, Inc. (FTI), which manufactures architectural ornamentation products (e.g., column covers, cornice, mouldings, door surroundings, etc.) out of reinforced plastics/composites for use in the building industry. To this end, FTI operates and maintains two spray booths, from which the main pollutant emitted is styrene, a hazardous air pollutant (HAP) and volatile organic compound (VOC). HAP and VOC emissions from the spray booths/facility are each restricted to less than 2.7 tons/yr, calculated monthly as a 12-month rolling sum. DEP has recently confirmed that the potentials to emit styrene and VOCs from the spray booths/facility are actually less than the major facility thresholds of 10 and 25 tons/yr, respectively. Therefore, DEP has reclassified the facility as Natural Minor, and has replaced the styrene content restriction with a restriction on the total amount of resins, gelcoats, and catalysts used at the facility of 67,210 lbs/yr (designed to meet the HAP and VOC emission rate restrictions). The change in permit status and replacement of the styrene content restriction, respectively, are made in accordance with 25 Pa. Code § 127.450(a)(2) and 25 Pa. Code § 127.461(1). The amended/modified SOOP will continue to include monitoring, recordkeeping, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements. Application received: October 5, 2022. Issued: December 16, 2022.

De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Sheri Guerrieri, P.E., New Source Review Chief, 412-442-4174.

GP5A-63-01017: Diversified Production, LLC, 125 Industry Road, Waynesburg, PA 15370, Morris Township, **Washington County.** GP5A-63-01017A: On December 21, 2022, Diversified Production LLC received approval for De Minimis emissions increases not to exceed approximately 0.17 ton per year of VOC, 3.6 tons per year of methane (CH₄), and 81.6 tons per year of carbon dioxide equivalent (CO₂e), resulting from the operation of additional existing pneumatic devices at the NV-34 Well Pad in Morris Township, Washington County. Total De Minimis increases for this facility since the most recent permit authorization of February 19, 2019, include this project (increases previously listed), as well as an increase occurring on September 25, 2022 under DEM-63-01017 for the construction of an indirect combustion device that resulted in no higher than 0.07 tpy each of NO_x, CO, SO_x, total HAPs, single HAP, PM₁₀, or PM_{2.5}.

GP5A-63-01021: Diversified Production, LLC, 125 Industry Road, Waynesburg, PA 15370, Morris Township, **Washington County.** On December 21, 2022, Diversified Production, LLC, received approval for De Minimis emissions increases not to exceed approximately 0.12 ton per year of VOC, 3.2 tons per year of methane (CH₄), and 72.6 tons per year of carbon dioxide equivalent (CO₂e), resulting from the operation of additional pneumatic devices at the NV-58 Well Pad. No prior De Minimis increases have occurred at the facility during the term of its current general permit, GP5A-63-01021.

ACTIONS ON COAL AND NONCOAL 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 National Pollutant Discharge Elimination System (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—6018.1103). Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

Noncoal Permits

New Stanton District Mining Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500.

Contact: Tracy Norbert or RA-EPNEWSTANTON@pa.gov.

Mining Permit No. 26092001. NPDES No. PA0251658. Bullsken Stone and Lime, LLC, 117 Marcia Street, Latrobe, PA 15650, Bullsken Township, Fayette County. Permit revised to add 10.4 underground acres to an existing noncoal mine and associated NPDES permit, affecting 377.2 acres. Receiving streams: unnamed tributaries to Mounts River and Mounts River, classified for the following use: WWF. Application received: September 10, 2021. Issued: December 22, 2022.

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

Contact: RA-EPPottsvilleDMO@pa.gov.

Mining Permit No. 7775SM3. NPDES Permit No. PA0594679. Lehigh Cement Co., LLC, 7660 Imperial Way, Allentown, PA 18195, Richmond and Maxatawny Townships, Berks County. Renew NPDES Permit on a quarry operation. Receiving stream unnamed tributary to Moselem Creek. Application received: December 16, 2021. Renewal issued: December 22, 2022.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Action(s) Taken on Application(s) 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

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

Contact: RA-EPPottsvilleDMO@pa.gov.

Permit No. 35224113. Hayduk Enterprises, Inc., 257 Riverside Drive, Factoryville, PA 18419, Ransom Township, Lackawanna County. Blasting for Buranich Shale Pit. Application received: December 12, 2022. Permit issued: December 15, 2022. Expiration date: June 30, 2023.

Permit No. 40224116. Maine Drilling & Blasting, Inc., P.O. Box 1140, Gardiner, ME 04345, Jenkins Township, Luzerne County. Construction blasting for Centerpoint South Warehouse. Application received: December 14, 2022. Permit issued: December 15, 2022. Expiration date: December 15, 2023.

Permit No. 45224110. Silver Valley Consulting, 102 Lamp Post Lane, Stroudsburg, PA 18360, Hamilton Township, Monroe County. Construction blasting for Moyer Shop. Application received: December 13, 2022. Permit issued: December 15, 2022. Expiration date: December 30, 2024.

Permit No. 46224110. Rock Work, Inc., 1257 Dekalb Pike, Blue Bell, PA 19422, Lower Salford Township, Montgomery County. Construction blasting for Creekside at Mainland. Application received: December 13, 2022. Permit issued: December 15, 2022. Expiration date: December 31, 2023.

Permit No. 67224115. M & J Explosives, LLC, 104 East Main Street, Carlisle, PA 17015, Springettsbury Township, York County. Construction blasting for Rutter 57. Application received: December 12, 2022. Permit issued: December 15, 2022. Expiration date: June 1, 2023.

Permit No. 46224111. American Rock Mechanics, LLC, 7531 Chestnut Street, Zionsville, PA 18092, Towamencin Township, Montgomery County. Construction blasting for Delp Drive Warehouse. Application received: December 14, 2022. Permit issued: December 20, 2022. Expiration date: December 13, 2023.

Permit No. 67224116. Maine Drilling & Blasting, Inc., P.O. Box 1140, Gardiner, ME 04345, East Manchester Township, York County. Construction blasting for Codorus Warehouse Building 4. Application received: December 16, 2022. Permit issued: December 20, 2022. Expiration date: December 16, 2023.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department of Environmental Protection (DEP) 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, DEP 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.

Individuals aggrieved by these actions may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 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. 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.

Individuals in need of accommodations should contact the Environmental Hearing Board through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

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

Action(s) Taken on Application(s) 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.

Eastern District: Oil and Gas Management Program, 208 West Third Street, Williamsport, PA 17701-6448.

Contact: RA-EPEASTERNOGPRG@pa.gov.

E0829222-031. Chesapeake Appalachia LLC, 14 Chesapeake Lane, Sayre, PA 18840, Standing Stone Township, **Bradford County**. U.S. Army Corps of Engineers Baltimore District.

To construct, operate and maintain a fresh water impoundment impacting 3,615 square feet of a palustrine emergent (PEM) wetlands. (Wyalusing, PA Quadrangle, Latitude: 41.748343°, Longitude: -76.337188°). This project is an after-the-fact permit that is associated with the Chesapeake Audit and will result in 2,657 square feet (0.061 acre) of permanent wetland impacts and 958 square feet (0.022 acre) of temporary wetland impacts, all for the purpose of establishing a fresh water impoundment for natural gas development in Orwell Township, Bradford County. The permittee will provide 0.022 acre of onsite wetland restoration and 0.133 acre of wetland credits at the Camp Brook Restoration Site (Elkland, PA Quadrangle, Latitude: 41.988385°, Longitude: -77.337152°), permit application number E5929221-006. Application received: July 18, 2022. Issued: December 19, 2022.

E5829222-010. Chesapeake Appalachia, LLC, 14 Chesapeake Lane, Sayre, PA 18840, Auburn Township, **Susquehanna County**. U.S. Army Corps of Engineers Baltimore District.

To construct, operate and maintain a well pad impacting 100,624 square feet of a palustrine emergent (PEM) wetland, 51,836 square feet of a palustrine forested (PFO) wetland and 958 square feet of a palustrine scrub shrub (PSS) wetland. (Auburn Center, PA Quadrangle, Latitude: 41.708773°, Longitude: -76.024301°). This project is an after-the-fact permit that is associated with the Chesapeake Audit and will result in 153,418 square feet (3.522

acres) of permanent wetland impacts all for the purpose of establishing a well pad for Marcellus well development in Auburn Township, Susquehanna County. The permittee will provide 13.06 acres of wetland credits at the Camp Brook Restoration Site (Elkland, PA Quadrangle, Latitude: 41.988385°, Longitude: -77.337152°), permit application number E5929221-006. Application received: August 22, 2022. Issued: December 21, 2022.

Northcentral Region: Waterways & Wetlands Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

Contact: Jay Maneval, Water Pollution Biologist 2, 570-327-3765.

E6004222-001. Ritz-Craft Corporation, 15 Industrial Park Road, Mifflinburg, PA 17844, West Buffalo Township, **Union County**. U.S. Army Corps of Engineers Baltimore District.

(1) Expansions and improvements to an existing building at the Ritz-Craft Corporation plant. The expansions will be permanently impacting 61,855 square feet (1.42 acres) of Palustrine Forested Wetland (Mifflinburg PA Quadrangle, 40.918917° N, -77.059756° W). (2) The permittee will provide the necessary acreage of wetland mitigation at the Ritz-Craft Wetland Mitigation Area (Mifflinburg, PA Quadrangle, 40.934956° N, -77.063186° W). Application received: July 11, 2022. Approved: December 19, 2022.

Southeast Region: Waterways & Wetlands Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: Elaine Henderson, Clerical Assistant 3, 484-250-5157.

E2301121-001. Pennsylvania Department of Transportation, 7000 Geerdes Boulevard, King of Prussia, PA 19406, City of Chester, Upper Chichester Township, **Delaware County**. U.S. Army Corps of Engineers Philadelphia District. Latitude: 39.8445°, Longitude: -75.4200°. Application received: January 4, 2021. Issued: December 21, 2022.

The Pennsylvania Department of Transportation (PennDOT District 6-0) is proposing to perform the following water obstruction and encroachment activities associated with the S.R. 0322 over CSX project:

1. To remove a 38-inch by 60-inch elliptical RCP culvert and in its place, construct and maintain a 109 linear-foot long, 38-inch by 60-inch elliptical RCP culvert carrying an intermittent unnamed tributary to Marcus Hook Creek (WWF-MF) resulting in 177 linear feet (982 square feet, 0.02 acre) of permanent watercourse impact with 3,377 square feet (0.081 acre) of permanent floodplain impact and 3,226 square feet (0.08 acre) of temporary floodplain impact. This activity also includes the construction of an outfall and the placement of riprap rock apron (USGS PA Marcus Hook Quadrangle—Latitude 39.8445° N, Longitude 75.4200° W).

2. To place fill within a wetland area (Wetland M, PEM/PSS) associated with grading for SR 0322 bridge reconstruction over CSX resulting in 5,669 square feet (0.13 acre) of permanent wetland impact (USGS PA Marcus Hook Quadrangle—Latitude 39.8439° N, Longitude 75.4165° W).

3. To place fill within a wetland area (Wetland O, PSS) associated with construction of the reconstruction of the SR 0322 bridge, access road and stormwater swale resulting in 4,982 square feet (0.11 acre) of permanent wetland impact (USGS PA Marcus Hook Quadrangle—Latitude 39.8429° N, Longitude 75.4143° W).

4. To place fill within a wetland area (Wetland P, PEM/PSS) associated with the construction of a stormwater outfall and grading resulting in 18,322 square feet (0.42 acre) of permanent wetland impact (USGS PA Marcus Hook Quadrangle—Latitude 39.8423° N, Longitude 75.4127° W).

5. To place fill within a wetland area (Wetland N, PEM/PSS) associated with the construction of a stormwater outfalls, grading and roadway reconstruction resulting in 20,857 square feet (0.48 acre) of permanent wetland impact. (USGS PA Marcus Hook Quadrangle—Latitude 39.8431° N, Longitude 75.4133° W).

6. To temporarily impact a wetland area (Wetland W, PEM) associated with the on-site compensatory mitigation resulting in 11,996 square feet (0.28 acre) of temporary wetland impact (USGS PA Marcus Hook Quadrangle—Latitude 39.8438° N, Longitude 75.4135° W).

7. To place fill within a wetland area (Wetland II, PEM) associated with Conchester Highway/Bethel Road access reconfiguration resulting in 840 square feet (0.02 acre) of permanent wetland impact (USGS PA Marcus Hook Quadrangle—Latitude 39.8434° N, Longitude 75.4129° W).

8. To place fill within a wetland area (Wetland XA, PEM) associated with the construction of a stormwater facility resulting in 762 square feet (0.02 acre) of permanent wetland impact (USGS PA Marcus Hook Quadrangle—Latitude 39.8431° N, Longitude 75.4123° W).

9. To place fill within a wetland area (Wetland X, PFO) associated with roadway reconstruction resulting in 156 square feet (0.004 acre) of permanent wetland impact (USGS PA Marcus Hook Quadrangle—Latitude 39.8426° N, Longitude 75.4116° W).

10. To place fill within a wetland area (Wetland S, PSS) associated with roadway reconstruction resulting in 14,128 square feet (0.32 acre) of permanent wetland impact (USGS PA Marcus Hook Quadrangle—Latitude 39.8416° N, Longitude 75.4093° W).

11. To place fill within a wetland area (Wetland Y, PEM/PSS) associated with the construction of stormwater facility, grading and roadway reconstruction resulting in 1,645 square feet (0.04 acre) of permanent wetland impact (USGS PA Marcus Hook Quadrangle—Latitude 39.8411° N, Longitude 75.4073° W).

12. To place fill within a wetland area (Wetland NN, PEM) associated with Ramp G (SR 0322 Westbound) reconstruction resulting in 597 square feet (0.01 acre) of permanent wetland impact (USGS PA Marcus Hook Quadrangle—Latitude 39.8416° N, Longitude 75.4069° W).

13. To place fill within a wetland area (Wetland LL, PEM/PSS) associated with reconstruction work along Ramp G (SR 0322 Westbound) resulting in 41 square feet (0.0009 acre) of permanent wetland impact (USGS PA Marcus Hook Quadrangle—Latitude 39.8415° N, Longitude 75.4065° W).

14. This project also includes a combination of compensatory mitigation through on-site wetland creation and wetland/stream credits via WO&E Compensation Operations Permit (PA DEP Permit Number: MB9915-0001) which are listed as follows:

a) 0.24 acre of PEM and 0.12 acre of PSS wetland compensation with an additional 0.22 acre of wetland enhancement located at 317 Bethel Road in Upper Chichester Township.

b) 1.21 wetland and 40.00 stream credits for compensatory mitigation from the Quaker Mitigation Bank located within the Lower Delaware River Sub-basin (PA State Water Plan Sub-basin 3).

This project is located between the SR 452/SR 322 Interchange and I-95/SR 322 Interchange in Chester City and Chichester Township, Delaware County.

Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Dana Drake, Program Manager.

E5605222-003. Stonycreek Township, 120 Municipal Road, Friedens, PA 15541, Stonycreek Township, **Somerset County**. U.S. Army Corps of Engineers Pittsburgh District.

The applicant has been given consent to: Place and maintain fill within the Yonai Road township right of way and floodplain of Stonycreek River (CWF), utilizing a french stone mattress, and to construct and maintain twelve 12" diameter smooth culverts across the roadway and within the aforementioned floodplain for the purpose of widening and raising the roadbed elevation for continued use during and after storm events. The project will permanently impact 0.28 acre of floodplain to Stonycreek River. The project site is located on Yonai Road approximately 50-feet east of the Stonycreek River. Latitude: 39° 59' 05", Longitude: -78° 54' 47". Application received: August 11, 2022. Issued: December 22, 2022.

ENVIRONMENTAL ASSESSMENTS

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: 717-705-4802.

EA3603222-005. West Donegal Township, 1 Municipal Dr, Elizabethtown, PA 17022, West Donegal Township, **Lancaster County**. U.S. Army Corps of Engineers Baltimore District.

The applicant proposes to regrade and maintain the streambanks along 2,000 feet of Conoy Creek (TSF, MF) for the purpose of reducing sediment loading to the stream. The project is located near the intersection of West Ridge Road and Miller Road. No wetlands will be impacted by this project. Latitude: 40.115281°, Longitude: -76.628687°. Application received: June 21, 2022. Issued: December 18, 2022.

EA6703222-003. York County Conservation District, 118 Pleasant Acres Road, York, PA 17042, Newberry Township, **York County**. U.S. Army Corps of Engineers Baltimore District.

The applicant proposes to restore and maintain 1) 1,910 linear feet of Bennet Run (WWF, MF) by use of channel relocation, floodplain grading/reconnection, root wad woody habitat structures, log vanes, j-hooks, random boulder placement, toe wood, constructed riffles, and sod matting, and 2) 678 linear feet of a UNT to Bennet Run (WWF, MF) by use of channel relocation, floodplain grading/reconnection and valley-wide log sills, all for the purpose of restoring aquatic habitat functions to Bennet Run. Access to the project necessitates a timber mat crossing of Exceptional Value emergent wetlands, totaling 0.15 acre, which will be fully restored following construction. The project is located along Lewisberry Road adjacent to East Front Street. Review and approval of this project also includes the Erosion and Sediment Control

Plan pursuant to 25 Pa. Code Chapter 102. Latitude: 40.1289°, Longitude: -76.8486°. Application received: April 11, 2022. Issued: December 18, 2022.

EA2203222-003. West Hanover Township, 7171 Allentown Boulevard, Harrisburg, PA 17112, West Hanover Township, **Dauphin County**. U.S. Army Corps of Engineers Baltimore District.

The information submitted relates to a stream improvement and stabilization project along 415 linear feet of an Unnamed Tributary to Beaver Creek (WWF, MF) including 1) constructing and maintaining seven boulder walls resulting in 514 square feet of permanent stream impact to an Unnamed Tributary to Beaver Creek (WWF, MF) and 59 square feet of permanent floodway impact; 2) constructing and maintaining one rock deflector resulting in 86 square feet of permanent stream impact to an Unnamed Tributary to Beaver Creek (WWF, MF); 3) constructing and maintaining eight double rock cross vanes resulting in 2,036 square feet of permanent stream impact to an Unnamed Tributary to Beaver Creek (WWF, MF); 3) constructing and maintaining eight double rock cross vanes resulting in 2,036 square feet of permanent stream impact to an Unnamed Tributary to Beaver Creek (WWF, MF) and 93 square feet of permanent floodway impact; 4) excavating and maintaining the floodway/floodplain resulting in 5,321 square feet of permanent floodway impact; 5) planting and maintaining tree and shrub saplings along the riparian area adjacent to the Unnamed Tributary to Beaver Creek (WWF, MF), all for the purpose of addressing erosional problems as part of an MS4 project for West Hanover Township. This project is located within Lenker Park, along Manor Drive. No wetlands will be impacted by this project. Latitude: 40.342824°, Longitude: -76.735220°. Application received: April 29, 2022. Issued: December 18, 2022.

EA3803222-004. Cornwall Borough, 44 Rexmont St, Lebanon, PA 17042, Cornwall Borough, **Lebanon County**. U.S. Army Corps of Engineers Baltimore District.

The applicant proposes to conduct a stream restoration along 2,025 feet of Snitz Creek (TSF, MF) including 1) the relocation and maintenance of 1,095 feet of stream; 2) the grading and maintenance of 3,960 feet of streambank (left and right banks); 3) the construction and maintenance of 3,305 linear feet of bankfull benches; 4) the construction and maintenance of two imbricated rock walls totaling 85 feet in length; 5) the construction and maintenance of a 20.0-foot by 10.0-foot temporary timber bridge; 6) the construction and maintenance of a 20.0-foot by 12.0-foot temporary timber bridge; 7) the installation and maintenance of eight rock outcrops; and 8) the excavation and maintenance of 1.46 acres of floodway, all for the purposes of improving stream instream habitat and water quality. The project is located immediately upstream of Culvert Street. No wetlands will be impacted by this project. Latitude: 40.283025°, Longitude: -76.409747°. Application received: October 19, 2022. Issued: December 22, 2022.

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. 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.

Individuals in need of accommodations should contact the Environmental Hearing Board through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

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 District: Oil and Gas Management Program, 208 West Third Street, Williamsport, PA 17701-6448.

Contact: RA-EPEASTERNNOGPRG@pa.gov.

ESCGP # 3 **ESG295922016-00**

Applicant Name **Delmar Midstream LLC**

Contact Person Ryan Frenya

Address 999 Main Street

City, State, Zip South Williamsport, PA 17702

Township(s) Delmar Township and Shippen Township

County **Tioga County**

Receiving Stream(s) and Classification(s) Campbells Run

(HQ-CWF), West Branch Stoney Fork (EV, MF)

Application received: October 19, 2022

Issued: December 19, 2022

ESCGP # 3 **ESG295822034-00**

Applicant Name **Williams Field Services Co, LLC**

Contact Person Barry Mahar

Address 30351 Route 6

City, State, Zip Wysox, PA 18854

Township(s) Springville Township

County **Susquehanna County**

Receiving Stream(s) and Classification(s) UNT to Thomas

Creek 6576 (CWF, MF)

Application received: November 16, 2022

Issued: December 19, 2022

ESCGP # 3 **ESG290822043-00**

Applicant Name **Chesapeake Appalachia, LLC**

Contact Person Eric Haskins

Address 14 Chesapeake Lane

City, State, Zip Sayre, PA 18840

Township(s) Franklin Township

County **Bradford County**

Receiving Stream(s) and Classification(s) Towanda Creek

(TSF, MF), S-WRA-018 (TSF, MF), S-WRA-019 (TSF,

MF), S-WRA-020 (TSF, MF), S-SLH-003 & S-WRA-21

(TSF, MF), S-SLH-004 (TSF, MF), S-WRA-011 (TSF,

MF), S-WRA-016 (CWF, MF)

Application received: November 14, 2022

Issued: December 21, 2022

STORAGE TANKS

SITE-SPECIFIC INSTALLATION PERMITS

The Following Storage Tank Site-Specific Installation Permit(s), 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.

SSIP Application No. **22011**
 Applicant Name **Carlisle Construction Materials, LLC**
 Address P.O. Box 7000
 City, State, Zip Carlisle, PA 17013
 County **Cumberland County**
 Municipality Carlisle Borough
 Tank Type One AST storing petroleum products
 Tank Capacity 30,000 gallons
 Application Received October 28, 2022
 Permit Issued December 22, 2022

CORRECTIVE ACTION UNDER ACT 32, 1989

PREAMBLE 2

The Following Plan(s) and Report(s) 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 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.

For further information concerning plans or reports, please contact the Regional Office Program Manager previously listed in the notice.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DEP has received the following plans and reports.

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

Contact: Eric Supey, Environmental Program Manager.

Interstate Texaco, Storage Tank Facility ID # **54-50229**, 1320 Morea Road, Barnesville, PA 18214, Mahanoy Township, **Schuylkill County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of PSS Oil Company, HC-1, Box 1338, Blakeslee, PA 18610 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The plan is intended to document the remedial actions for meeting site-specific standards.

Shri Hari Charan, Storage Tank Facility ID # **40-13182**, 36 South Mountain Boulevard, Mountain Top, PA 18707, Fairview Township, **Luzerne County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013 on behalf of Shri Hari Charan Real Estate LLC, 36 South Mountain Boulevard, Mountain Top, PA 18707, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The plan is intended to document the remedial actions for meeting Statewide health standards.

Southcentral Region: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Cynthia Stine, Licensed Professional Geologist, 717-705-4705.

Maines Service Station, Storage Tank Facility ID # **07-12246**, 227 East Walton Avenue, Altoona, PA 16602, Bedford Township, **Blair County**. Letterle & Associates, Inc., 2022 Axeman Road, Suite 201, Bellefonte, PA 16823, on behalf of Neil Maines, 227 East Walton Avenue, Altoona, PA 16602 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with Petroleum Constituents. The report is intended to document the remedial actions for meeting nonresidential Statewide health standards.

Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: Richard M. Staron, Professional Geologist Manager, 484-250-5717.

Fast Tack Lane, Storage Tank Facility ID # **09-42810**, 2672 Bristol Pike, Bensalem, PA 19020, Bensalem Township, **Bucks County**. Petrodi LLC, 5 Elmwood Drive, Tabernacle, NJ 08088, on behalf of Fast Tack Lane, LLC, 2672 Bristol Pike, Bensalem, PA 19020 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline, diesel, and kerosene. The plan is intended to document the remedial actions for meeting residential and nonresidential Statewide health standards.

Southwest Region: Environmental Cleanup & Brownfields Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Kam Miseikyte, Clerical Assistant 2, 412-442-4091.

GetGo # 3082, Storage Tank Facility ID # **65-39129**, 1100 Mount Laurel Plaza, Latrobe, PA 15650, Unity Township, **Westmoreland County**. PVE, LLC, 2000 Georgetown Drive, Suite 101, Sewickley, PA 15143, on behalf of Giant Eagle, Inc., 101 Kappa Drive, Pittsburgh, PA 15238 submitted a Remedial Action Plan concerning remediation of groundwater contaminated with unleaded

gasoline. The plan is intended to document the remedial actions for meeting residential site-specific standards.

CORRECTIVE ACTION UNDER ACT 32, 1989

PREAMBLE 3

Action(s) Taken 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 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.

DEP may approve or disapprove plans and reports submitted. This notice provides DEP's decision and, if relevant, the basis for disapproval.

For further information concerning plans or reports, please contact the Regional Office Program Manager previously listed in the notice.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DEP has received the following plans and reports.

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

Contact: Eric Supey, Environmental Program Manager.

Stroudsburg C Store Holdings, Storage Tank Facility ID # **45-29830**, 1229 West Main Street, Stroudsburg, PA 18360, Stroudsburg Borough, **Monroe County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Stroudsburg C Store Holdings, LLC, 1229 West Main Street, Stroudsburg, PA 18360 submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with gasoline. The report residential demonstrated attainment of the Statewide health standards and was approved by DEP on December 20, 2022.

Pilot Travel Center 298, Storage Tank Facility ID # **40-51882**, 1114 State Route 93, Drums, PA 18222, Sugarloaf Township, **Luzerne County**. Atlas Technical Consultants, 270 William Pitt Way, Pittsburgh, PA 15238, on behalf of Pilot Travels Centers, LLC, 5508 Lonas

Drive, Knoxville, TN 37939 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with gasoline. The report non-residential demonstrated attainment of the Statewide health standards and was approved by DEP on December 21, 2022.

Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: Richard M. Staron, Professional Geologist Manager, 484-250-5717.

Turkey Hill 176, Storage Tank Facility ID # **15-40728**, 3026 Horseshoe Pike, Honeybrook, PA 19334, Honey Brook Township, **Chester County**. Liberty Environmental, Inc., 505 Penn Street, Reading, PA 19601, on behalf of Turkey Hill Minit Markets, LLC, 165 Flanders Rd., Westborough, MA 01581 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report nonresidential demonstrated attainment of the Statewide health standards and was approved by DEP on December 20, 2022.

Southwest Region: Environmental Cleanup & Brownfields Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Kam Miseikyte, Clerical Assistant 2, 412-442-4091.

Chevron # 203876, Storage Tank Facility ID # **65-82885**, 11540 Route 30, North Huntingdon, PA 15642, North Huntingdon Township, **Westmoreland County**. Arcadis U.S., Inc., 6041 Wallace Road Ext., Suite 300, Wexford, PA 15090, on behalf of Chevron Environmental Management Company, 1400 Smith Street, Houston, TX 77002 submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with BTEX, MBTE, cumene, naphthalene, 1,2,4-TMB, 1,3,5-TMB, EDB, EDC, and lead. The report non-residential did not demonstrate attainment of the Statewide health and site-specific standards and was disapproved by DEP on December 19, 2022.

[Pa.B. Doc. No. 23-16. Filed for public inspection January 6, 2023, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Aggregate Advisory Board Meeting Rescheduled

The Aggregate Advisory Board (Board) will meet on Wednesday, February 1, 2023, at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. This meeting was previously scheduled for March 1, 2023, at the same meeting location in Harrisburg. Individuals may attend the meeting in person or remotely. Individuals interested in providing public comments during the meeting are encouraged to sign up in advance by contacting Daniel E. Snowden at dsn Snowden@pa.gov or (717) 783-8846.

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 “Advisory Committees,” then “Mining,” then “Aggregate Advisory Board,” then “2023”).

Individuals are encouraged to visit the Board’s webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the February 1, 2023, meeting can be directed to Daniel E. Snowden at dsnowden@pa.gov or (717) 783-8846.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Daniel E. Snowden at (717) 783-8846 or through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

RAMEZ ZIADEH, P.E.,
Acting Secretary

[Pa.B. Doc. No. 23-17. Filed for public inspection January 6, 2023, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Rescission of Technical Guidance

The Department of Environmental Protection (Department) announces the rescission of the Technical Guidance Document (TGD) listed as follows. TGDs are available on the Department’s web site at www.dep.greenport.

state.pa.us/elibrary/ (select “Technical Guidance Draft Documents” or “Technical Guidance Final Documents” to view a menu of various Department bureaus where TGDs are listed).

Changes to TGDs

Following is the current list of recent changes. Persons who have questions or comments about a particular document should contact the person whose name and phone number are listed with each document.

Rescission of Technical Guidance

DEP ID: 310-2137-001. *Title:* Pennsylvania Function-Based Aquatic Resources Compensation Protocol. *Description:* The Department published notice of this final TGD at 52 Pa.B. 322 (January 8, 2022). This TGD was finalized to provide the basis for determining the amount of compensatory mitigation required under 25 Pa. Code § 105.20a (relating to wetland replacement criteria) and is now being rescinded. The Department is rescinding this TGD to reevaluate its effectiveness and review potential revisions through stakeholder outreach.

Contact: Questions regarding the rescission of this TGD can be directed to Andy Klinger at anklinger@pa.gov or (717) 772-5975.

Effective Date: January 7, 2023

RAMEZ ZIADEH, P.E.,
Acting Secretary

[Pa.B. Doc. No. 23-18. Filed for public inspection January 6, 2023, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

State Board for Certification of Sewage Enforcement Officers; Examination Schedule for 2023

The State Board for Certification of Sewage Enforcement Officers (Board) has scheduled the certification examination schedule for 2023.

To qualify to sit for the certification examination, all Sewage Enforcement Officer (SEO) candidates must successfully complete the Pre-Certification Academy. Examination applications must be received (not postmarked) by the Board, complete and correct, by close of business on the dates indicated. Applications received after these dates will not be considered for examination. Applications that do not contain all the required information will be returned and will not be considered eligible for the examination. The examination schedule for 2023 is as follows:

<i>Examination Date:</i>	Friday, February 10, 2023 (8:30 a.m. registration, exam 9 a.m. to 12:30 p.m.)
<i>Exam Application Deadline:</i>	Friday, January 27, 2023
<i>Location:</i>	Pennsylvania Department of Environmental Protection Southcentral Regional Office Susquehanna Conference Room Main entrance 909 Elmerton Avenue Harrisburg, PA 17110
<i>Examination Date:</i>	Friday, May 5, 2023 (12:30 p.m. registration, exam 1 p.m. to 4:30 p.m.)
<i>Exam Application Deadline:</i>	Friday, April 21, 2023
<i>Location:</i>	Pennsylvania State Association of Township Supervisors (PSATS) PSATS Education Center 4855 Woodland Drive Enola, PA 17025
<i>Examination Date:</i>	Friday, August 25, 2023 (8:30 a.m. registration, exam 9 a.m. to 12:30 p.m.)
<i>Exam Application Deadline:</i>	Friday, August 11, 2023

<i>Location:</i>	Pennsylvania Department of Environmental Protection Southcentral Regional Office Susquehanna Conference Room Main entrance 909 Elmerton Avenue Harrisburg, PA 17110
<i>Examination Date:</i>	Friday, October 20, 2023 (12:30 p.m. registration, exam 1 p.m. to 4:30 p.m.)
<i>Exam Application Deadline:</i>	Friday, October 6, 2023
<i>Location:</i>	Pennsylvania State Association of Township Supervisors (PSATS) PSATS Education Center 4855 Woodland Drive Enola, PA 17025

Additional examination dates will be posted as scheduled. Individuals are encouraged to visit the Board’s webpage to confirm date, time and location prior to each examination.

The SEO written examination contains 100 multiple-choice questions covering sewage planning requirements, administration and enforcement of the onlot sewage permitting program and technical criteria for soils and onlot sewage disposal systems. The examination must be completed within a 3.5-hour time limit. The passing grade is 50% correct responses in each subject area and an overall minimum of 70 correct answers on the entire examination. This is an open book examination. Applicants are not permitted to bring their own materials. Necessary reference materials will be provided at the test site.

Examination applications may be obtained by contacting the Department of Environmental Protection, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8774, Harrisburg, PA 17105-8774, ra-seotrng@pa.gov or (717) 772-2186.

Applicants will receive a confirmation e-mail from the Board prior to the date of the examination.

Persons who anticipate the need for a testing accommodation due to a disability should contact the Board at (717) 772-2186 or through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss their request. This request must be submitted with the application form.

RAMEZ ZIADEH, P.E.,
Acting Secretary

[Pa.B. Doc. No. 23-19. Filed for public inspection January 6, 2023, 9:00 a.m.]

DEPARTMENT OF HEALTH

Human Immunodeficiency Virus (HIV) Community Prevention Planning Committee; Public Meetings

The Statewide HIV Planning Group, established by the Department of Health (Department) under sections 301(a) and 317 of the Public Health Service Act (42 U.S.C.A. §§ 241(a) and 247b), will hold public meetings at the Penn Harris Hotel by Wyndham, 1150 Camp Hill Bypass, Camp Hill, PA on Wednesday, January 18, 2022, from 9 a.m. to 4:30 p.m. and on Thursday, January 19, 2022, from 9 a.m. to 4:30 p.m.

Participants can also access the meeting virtually through the following options:

To join Microsoft Teams meetings, individuals will need to connect by phone; this can be done by dialing the following number and entering the meeting ID listed as follows:

Day 1: Main Meeting

Call in Information:

Phone Number: (412) 648-8888
Phone Conference ID: 888 866 248#
<https://tinyurl.com/JanuaryHPGDay1>

Day 1: Subcommittee Breakout Meeting

Call in Information:

Phone Number: (412) 648-8888
Phone Conference ID: 865 410 571#
<https://tinyurl.com/HPGSubcommitteeDay1>

Day 2: Main Meeting

Call in Information:

Phone Number: (412) 648-8888
Phone Conference ID: 481 233 794#
<https://tinyurl.com/JanuaryHPGDay2>

Day 2: Subcommittee Breakout Meeting

Call in Information:

Phone Number: (412) 648-8888
Phone Conference ID: 223 032 583#
<https://tinyurl.com/HPGSubcommitteeDay2>

Jurisdictional HIV prevention planning is a required activity of the Department’s Centers for Disease Control and Prevention Integrated HIV Surveillance and Prevention Programs for Health Departments grant. Additionally, the Ryan White HIV/AIDS Treatment Extension Act of 2009 (Pub.L. No. 111-87), previously known as the Ryan White Comprehensive AIDS Resources Emergency Act of 1990 (42 U.S.C.A. §§ 300ff-21—300ff-38), requires that the Department engage in a public advisory planning process in developing a comprehensive plan. The purpose of these meetings is to conduct an integrated prevention and care HIV planning process by which the Department works in partnership with the community and stakeholders to enhance access to HIV prevention, care and treatment services.

For additional information or persons with a disability who wish to attend the meetings who require an auxiliary aid, service or other accommodation to do so should contact Kyle Fait, Planning Coordinator, Department of Health, Bureau of Communicable Diseases, 625 Forster

Street, Health and Welfare Building, Harrisburg, PA 17120, (717) 260-8929, or for speech and/or hearing impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

The Department reserves the right to cancel these meetings without prior notice.

DR. DENISE A. JOHNSON,
Acting Secretary

[Pa.B. Doc. No. 23-20. Filed for public inspection January 6, 2023, 9:00 a.m.]

**DEPARTMENT OF
LABOR AND INDUSTRY**

**Unemployment Compensation; Table Specified for
Determination of Rate and Amount of Benefits**

The purpose of this notice is to announce the Table Specified for the Determination of Rate and Amount of Benefits (Table) and the maximum weekly unemployment compensation (UC) benefit rate for calendar year 2023.

The Table, found in section 404(e)(1) of the Unemployment Compensation Law (law) (43 P.S. § 804(e)(1)), shall be extended or contracted annually to the point where the maximum weekly benefit rate for a calendar year equals 66 2/3% of the average weekly wage for the 36-month period ending on the previous June 30. 43 P.S. § 804(e)(2)(i)(A). The Table was amended by the act of November 3, 2016 (P.L. 1100, No. 144) (Act 144), which imposed limitations on the maximum weekly benefit rate. For calendar year 2023, Act 144 limits the maximum weekly benefit rate to an amount that is no more than 2% of the maximum weekly benefit rate of the preceding year. 43 P.S. § 804(e)(2)(iii)(B). Because the maximum weekly benefit rate for calendar year 2022 was \$594, the maximum allowable weekly benefit rate for calendar year 2023 is \$605. As a result, the Department of Labor and Industry is extending the Table as published in this notice. Under the Act of June 30, 2021 (P.L. 173, No. 30) (Act 30), when it is necessary to extend the Table, the last line of Part A and the last line of Part C are amended as published in this notice. 43 P.S. § 804(e)(2)(i)(B).

The Table, as amended by Act 144, was published at 47 Pa.B. 362 (January 21, 2017) and codified in 34 Pa. Code Chapter 65, Appendix A regarding table specified for the determination of rate and amount of benefit. Under sections 201(a) and 404(e)(2) of the law (43 P.S. §§ 761(a) and 804(e)(2)), and 34 Pa. Code § 65.111 (relating to benefit table), the Table for 2023 is being adopted by this notice and will be codified in 34 Pa. Code Chapter 65, Appendix A.

Under section 404(e)(2) of the law, this Table is effective for claimants whose benefit years begin on or after January 1, 2023.

Questions concerning this notice should be directed to Susan E. Dickinson, Acting Deputy Secretary for Unemployment Compensation Programs, 651 Boas Street, Room 1700, Harrisburg, PA 17121.

JENNIFER BERRIER,
Secretary

Appendix A

<i>Part A Highest Quarterly Wage</i>	<i>Part B Rate of Compensation</i>	<i>Part C Qualifying Wages</i>
\$1,688—\$1,712	\$68	\$2,718
\$1,713—\$1,737	\$69	\$2,758
\$1,738—\$1,762	\$70	\$2,797
\$1,763—\$1,787	\$71	\$2,837
\$1,788—\$1,812	\$72	\$2,877
\$1,813—\$1,837	\$73	\$2,916
\$1,838—\$1,862	\$74	\$2,956
\$1,863—\$1,887	\$75	\$2,996
\$1,888—\$1,912	\$76	\$3,035
\$1,913—\$1,937	\$77	\$3,075
\$1,938—\$1,962	\$78	\$3,115
\$1,963—\$1,987	\$79	\$3,154
\$1,988—\$2,012	\$80	\$3,194
\$2,013—\$2,037	\$81	\$3,234
\$2,038—\$2,062	\$82	\$3,274
\$2,063—\$2,087	\$83	\$3,313
\$2,088—\$2,112	\$84	\$3,353
\$2,113—\$2,137	\$85	\$3,393
\$2,138—\$2,162	\$86	\$3,432
\$2,163—\$2,187	\$87	\$3,472
\$2,188—\$2,212	\$88	\$3,512
\$2,213—\$2,237	\$89	\$3,551
\$2,238—\$2,262	\$90	\$3,591
\$2,263—\$2,287	\$91	\$3,631
\$2,288—\$2,312	\$92	\$3,670
\$2,313—\$2,337	\$93	\$3,710
\$2,338—\$2,362	\$94	\$3,750
\$2,363—\$2,387	\$95	\$3,789
\$2,388—\$2,412	\$96	\$3,829
\$2,413—\$2,437	\$97	\$3,869
\$2,438—\$2,462	\$98	\$3,908
\$2,463—\$2,487	\$98	\$3,948
\$2,488—\$2,512	\$99	\$3,988
\$2,513—\$2,537	\$100	\$4,027
\$2,538—\$2,562	\$101	\$4,067
\$2,563—\$2,587	\$102	\$4,107
\$2,588—\$2,612	\$103	\$4,147
\$2,613—\$2,637	\$104	\$4,186
\$2,638—\$2,662	\$105	\$4,226
\$2,663—\$2,687	\$106	\$4,266
\$2,688—\$2,712	\$107	\$4,305
\$2,713—\$2,737	\$108	\$4,345
\$2,738—\$2,762	\$109	\$4,385
\$2,763—\$2,787	\$110	\$4,424
\$2,788—\$2,812	\$111	\$4,464
\$2,813—\$2,837	\$112	\$4,504
\$2,838—\$2,862	\$113	\$4,543
\$2,863—\$2,887	\$114	\$4,583
\$2,888—\$2,912	\$115	\$4,623
\$2,913—\$2,937	\$116	\$4,662
\$2,938—\$2,962	\$117	\$4,702
\$2,963—\$2,987	\$118	\$4,742
\$2,988—\$3,012	\$119	\$4,781
\$3,013—\$3,037	\$120	\$4,821
\$3,038—\$3,062	\$121	\$4,861
\$3,063—\$3,087	\$122	\$4,900
\$3,088—\$3,112	\$123	\$4,940
\$3,113—\$3,137	\$124	\$4,980
\$3,138—\$3,162	\$125	\$5,020
\$3,163—\$3,187	\$126	\$5,059
\$3,188—\$3,212	\$127	\$5,099
\$3,213—\$3,237	\$128	\$5,139
\$3,238—\$3,262	\$129	\$5,178
\$3,263—\$3,287	\$130	\$5,218

<i>Part A Highest Quarterly Wage</i>	<i>Part B Rate of Compensation</i>	<i>Part C Qualifying Wages</i>	<i>Part A Highest Quarterly Wage</i>	<i>Part B Rate of Compensation</i>	<i>Part C Qualifying Wages</i>
\$3,288—\$3,312	\$131	\$5,258	\$4,913—\$4,937	\$195	\$7,837
\$3,313—\$3,337	\$132	\$5,297	\$4,938—\$4,962	\$196	\$7,877
\$3,338—\$3,362	\$133	\$5,337	\$4,963—\$4,987	\$196	\$7,916
\$3,363—\$3,387	\$134	\$5,377	\$4,988—\$5,012	\$197	\$7,956
\$3,388—\$3,412	\$135	\$5,416	\$5,013—\$5,037	\$198	\$7,996
\$3,413—\$3,437	\$136	\$5,456	\$5,038—\$5,062	\$199	\$8,035
\$3,438—\$3,462	\$137	\$5,496	\$5,063—\$5,087	\$200	\$8,075
\$3,463—\$3,487	\$138	\$5,535	\$5,088—\$5,112	\$201	\$8,115
\$3,488—\$3,512	\$139	\$5,575	\$5,113—\$5,137	\$202	\$8,154
\$3,513—\$3,537	\$140	\$5,615	\$5,138—\$5,162	\$203	\$8,194
\$3,538—\$3,562	\$141	\$5,654	\$5,163—\$5,187	\$204	\$8,234
\$3,563—\$3,587	\$142	\$5,694	\$5,188—\$5,212	\$205	\$8,274
\$3,588—\$3,612	\$143	\$5,734	\$5,213—\$5,237	\$206	\$8,313
\$3,613—\$3,637	\$144	\$5,774	\$5,238—\$5,262	\$207	\$8,353
\$3,638—\$3,662	\$145	\$5,813	\$5,263—\$5,287	\$208	\$8,393
\$3,663—\$3,687	\$146	\$5,853	\$5,288—\$5,312	\$209	\$8,432
\$3,688—\$3,712	\$147	\$5,893	\$5,313—\$5,337	\$210	\$8,472
\$3,713—\$3,737	\$147	\$5,932	\$5,338—\$5,362	\$211	\$8,512
\$3,738—\$3,762	\$148	\$5,972	\$5,363—\$5,387	\$212	\$8,551
\$3,763—\$3,787	\$149	\$6,012	\$5,388—\$5,412	\$213	\$8,591
\$3,788—\$3,812	\$150	\$6,051	\$5,413—\$5,437	\$214	\$8,631
\$3,813—\$3,837	\$151	\$6,091	\$5,438—\$5,462	\$215	\$8,670
\$3,838—\$3,862	\$152	\$6,131	\$5,463—\$5,487	\$216	\$8,710
\$3,863—\$3,887	\$153	\$6,170	\$5,488—\$5,512	\$217	\$8,750
\$3,888—\$3,912	\$154	\$6,210	\$5,513—\$5,537	\$218	\$8,789
\$3,913—\$3,937	\$155	\$6,250	\$5,538—\$5,562	\$219	\$8,829
\$3,938—\$3,962	\$156	\$6,289	\$5,563—\$5,587	\$220	\$8,869
\$3,963—\$3,987	\$157	\$6,329	\$5,588—\$5,612	\$221	\$8,908
\$3,988—\$4,012	\$158	\$6,369	\$5,613—\$5,637	\$222	\$8,948
\$4,013—\$4,037	\$159	\$6,408	\$5,638—\$5,662	\$223	\$8,988
\$4,038—\$4,062	\$160	\$6,448	\$5,663—\$5,687	\$224	\$9,027
\$4,063—\$4,087	\$161	\$6,488	\$5,688—\$5,712	\$225	\$9,067
\$4,088—\$4,112	\$162	\$6,527	\$5,713—\$5,737	\$226	\$9,107
\$4,113—\$4,137	\$163	\$6,567	\$5,738—\$5,762	\$227	\$9,147
\$4,138—\$4,162	\$164	\$6,607	\$5,763—\$5,787	\$228	\$9,186
\$4,163—\$4,187	\$165	\$6,647	\$5,788—\$5,812	\$229	\$9,226
\$4,188—\$4,212	\$166	\$6,686	\$5,813—\$5,837	\$230	\$9,266
\$4,213—\$4,237	\$167	\$6,726	\$5,838—\$5,862	\$231	\$9,305
\$4,238—\$4,262	\$168	\$6,766	\$5,863—\$5,887	\$232	\$9,345
\$4,263—\$4,287	\$169	\$6,805	\$5,888—\$5,912	\$233	\$9,385
\$4,288—\$4,312	\$170	\$6,845	\$5,913—\$5,937	\$234	\$9,424
\$4,313—\$4,337	\$171	\$6,885	\$5,938—\$5,962	\$235	\$9,464
\$4,338—\$4,362	\$172	\$6,924	\$5,963—\$5,987	\$236	\$9,504
\$4,363—\$4,387	\$173	\$6,964	\$5,988—\$6,012	\$237	\$9,543
\$4,388—\$4,412	\$174	\$7,004	\$6,013—\$6,037	\$238	\$9,583
\$4,413—\$4,437	\$175	\$7,043	\$6,038—\$6,062	\$239	\$9,623
\$4,438—\$4,462	\$176	\$7,083	\$6,063—\$6,087	\$240	\$9,662
\$4,463—\$4,487	\$177	\$7,123	\$6,088—\$6,112	\$241	\$9,702
\$4,488—\$4,512	\$178	\$7,162	\$6,113—\$6,137	\$242	\$9,742
\$4,513—\$4,537	\$179	\$7,202	\$6,138—\$6,162	\$243	\$9,781
\$4,538—\$4,562	\$180	\$7,242	\$6,163—\$6,187	\$244	\$9,821
\$4,563—\$4,587	\$181	\$7,281	\$6,188—\$6,212	\$245	\$9,861
\$4,588—\$4,612	\$182	\$7,321	\$6,213—\$6,237	\$245	\$9,900
\$4,613—\$4,637	\$183	\$7,361	\$6,238—\$6,262	\$246	\$9,940
\$4,638—\$4,662	\$184	\$7,400	\$6,263—\$6,287	\$247	\$9,980
\$4,663—\$4,687	\$185	\$7,440	\$6,288—\$6,312	\$248	\$10,020
\$4,688—\$4,712	\$186	\$7,480	\$6,313—\$6,337	\$249	\$10,059
\$4,713—\$4,737	\$187	\$7,520	\$6,338—\$6,362	\$250	\$10,099
\$4,738—\$4,762	\$188	\$7,559	\$6,363—\$6,387	\$251	\$10,139
\$4,763—\$4,787	\$189	\$7,599	\$6,388—\$6,412	\$252	\$10,178
\$4,788—\$4,812	\$190	\$7,639	\$6,413—\$6,437	\$253	\$10,218
\$4,813—\$4,837	\$191	\$7,678	\$6,438—\$6,462	\$254	\$10,258
\$4,838—\$4,862	\$192	\$7,718	\$6,463—\$6,487	\$255	\$10,297
\$4,863—\$4,887	\$193	\$7,758	\$6,488—\$6,512	\$256	\$10,337
\$4,888—\$4,912	\$194	\$7,797	\$6,513—\$6,537	\$257	\$10,377

<i>Part A Highest Quarterly Wage</i>	<i>Part B Rate of Compensation</i>	<i>Part C Qualifying Wages</i>	<i>Part A Highest Quarterly Wage</i>	<i>Part B Rate of Compensation</i>	<i>Part C Qualifying Wages</i>
\$6,538—\$6,562	\$258	\$10,416	\$8,163—\$8,187	\$322	\$12,996
\$6,563—\$6,587	\$259	\$10,456	\$8,188—\$8,212	\$323	\$13,035
\$6,588—\$6,612	\$260	\$10,496	\$8,213—\$8,237	\$324	\$13,075
\$6,613—\$6,637	\$261	\$10,535	\$8,238—\$8,262	\$325	\$13,115
\$6,638—\$6,662	\$262	\$10,575	\$8,263—\$8,287	\$326	\$13,154
\$6,663—\$6,687	\$263	\$10,615	\$8,288—\$8,312	\$327	\$13,194
\$6,688—\$6,712	\$264	\$10,654	\$8,313—\$8,337	\$328	\$13,234
\$6,713—\$6,737	\$265	\$10,694	\$8,338—\$8,362	\$329	\$13,274
\$6,738—\$6,762	\$266	\$10,734	\$8,363—\$8,387	\$330	\$13,313
\$6,763—\$6,787	\$267	\$10,774	\$8,388—\$8,412	\$331	\$13,353
\$6,788—\$6,812	\$268	\$10,813	\$8,413—\$8,437	\$332	\$13,393
\$6,813—\$6,837	\$269	\$10,853	\$8,438—\$8,462	\$333	\$13,432
\$6,838—\$6,862	\$270	\$10,893	\$8,463—\$8,487	\$334	\$13,472
\$6,863—\$6,887	\$271	\$10,932	\$8,488—\$8,512	\$335	\$13,512
\$6,888—\$6,912	\$272	\$10,972	\$8,513—\$8,537	\$336	\$13,551
\$6,913—\$6,937	\$273	\$11,012	\$8,538—\$8,562	\$337	\$13,591
\$6,938—\$6,962	\$274	\$11,051	\$8,563—\$8,587	\$338	\$13,631
\$6,963—\$6,987	\$275	\$11,091	\$8,588—\$8,612	\$339	\$13,670
\$6,988—\$7,012	\$276	\$11,131	\$8,613—\$8,637	\$340	\$13,710
\$7,013—\$7,037	\$277	\$11,170	\$8,638—\$8,662	\$341	\$13,750
\$7,038—\$7,062	\$278	\$11,210	\$8,663—\$8,687	\$342	\$13,789
\$7,063—\$7,087	\$279	\$11,250	\$8,688—\$8,712	\$343	\$13,829
\$7,088—\$7,112	\$280	\$11,289	\$8,713—\$8,737	\$343	\$13,869
\$7,113—\$7,137	\$281	\$11,329	\$8,738—\$8,762	\$344	\$13,908
\$7,138—\$7,162	\$282	\$11,369	\$8,763—\$8,787	\$345	\$13,948
\$7,163—\$7,187	\$283	\$11,408	\$8,788—\$8,812	\$346	\$13,988
\$7,188—\$7,212	\$284	\$11,448	\$8,813—\$8,837	\$347	\$14,027
\$7,213—\$7,237	\$285	\$11,488	\$8,838—\$8,862	\$348	\$14,067
\$7,238—\$7,262	\$286	\$11,527	\$8,863—\$8,887	\$349	\$14,107
\$7,263—\$7,287	\$287	\$11,567	\$8,888—\$8,912	\$350	\$14,147
\$7,288—\$7,312	\$288	\$11,607	\$8,913—\$8,937	\$351	\$14,186
\$7,313—\$7,337	\$289	\$11,647	\$8,938—\$8,962	\$352	\$14,226
\$7,338—\$7,362	\$290	\$11,686	\$8,963—\$8,987	\$353	\$14,266
\$7,363—\$7,387	\$291	\$11,726	\$8,988—\$9,012	\$354	\$14,305
\$7,388—\$7,412	\$292	\$11,766	\$9,013—\$9,037	\$355	\$14,345
\$7,413—\$7,437	\$293	\$11,805	\$9,038—\$9,062	\$356	\$14,385
\$7,438—\$7,462	\$294	\$11,845	\$9,063—\$9,087	\$357	\$14,424
\$7,463—\$7,487	\$294	\$11,885	\$9,088—\$9,112	\$358	\$14,464
\$7,488—\$7,512	\$295	\$11,924	\$9,113—\$9,137	\$359	\$14,504
\$7,513—\$7,537	\$296	\$11,964	\$9,138—\$9,162	\$360	\$14,543
\$7,538—\$7,562	\$297	\$12,004	\$9,163—\$9,187	\$361	\$14,583
\$7,563—\$7,587	\$298	\$12,043	\$9,188—\$9,212	\$362	\$14,623
\$7,588—\$7,612	\$299	\$12,083	\$9,213—\$9,237	\$363	\$14,662
\$7,613—\$7,637	\$300	\$12,123	\$9,238—\$9,262	\$364	\$14,702
\$7,638—\$7,662	\$301	\$12,162	\$9,263—\$9,287	\$365	\$14,742
\$7,663—\$7,687	\$302	\$12,202	\$9,288—\$9,312	\$366	\$14,781
\$7,688—\$7,712	\$303	\$12,242	\$9,313—\$9,337	\$367	\$14,821
\$7,713—\$7,737	\$304	\$12,281	\$9,338—\$9,362	\$368	\$14,861
\$7,738—\$7,762	\$305	\$12,321	\$9,363—\$9,387	\$369	\$14,900
\$7,763—\$7,787	\$306	\$12,361	\$9,388—\$9,412	\$370	\$14,940
\$7,788—\$7,812	\$307	\$12,400	\$9,413—\$9,437	\$371	\$14,980
\$7,813—\$7,837	\$308	\$12,440	\$9,438—\$9,462	\$372	\$15,020
\$7,838—\$7,862	\$309	\$12,480	\$9,463—\$9,487	\$373	\$15,059
\$7,863—\$7,887	\$310	\$12,520	\$9,488—\$9,512	\$374	\$15,099
\$7,888—\$7,912	\$311	\$12,559	\$9,513—\$9,537	\$375	\$15,139
\$7,913—\$7,937	\$312	\$12,599	\$9,538—\$9,562	\$376	\$15,178
\$7,938—\$7,962	\$313	\$12,639	\$9,563—\$9,587	\$377	\$15,218
\$7,963—\$7,987	\$314	\$12,678	\$9,588—\$9,612	\$378	\$15,258
\$7,988—\$8,012	\$315	\$12,718	\$9,613—\$9,637	\$379	\$15,297
\$8,013—\$8,037	\$316	\$12,758	\$9,638—\$9,662	\$380	\$15,337
\$8,038—\$8,062	\$317	\$12,797	\$9,663—\$9,687	\$381	\$15,377
\$8,063—\$8,087	\$318	\$12,837	\$9,688—\$9,712	\$382	\$15,416
\$8,088—\$8,112	\$319	\$12,877	\$9,713—\$9,737	\$383	\$15,456
\$8,113—\$8,137	\$320	\$12,916	\$9,738—\$9,762	\$384	\$15,496
\$8,138—\$8,162	\$321	\$12,956	\$9,763—\$9,787	\$385	\$15,535

<i>Part A Highest Quarterly Wage</i>	<i>Part B Rate of Compensation</i>	<i>Part C Qualifying Wages</i>	<i>Part A Highest Quarterly Wage</i>	<i>Part B Rate of Compensation</i>	<i>Part C Qualifying Wages</i>
\$9,788—\$9,812	\$386	\$15,575	\$11,413—\$11,437	\$449	\$18,154
\$9,813—\$9,837	\$387	\$15,615	\$11,438—\$11,462	\$450	\$18,194
\$9,838—\$9,862	\$388	\$15,654	\$11,463—\$11,487	\$451	\$18,234
\$9,863—\$9,887	\$389	\$15,694	\$11,488—\$11,512	\$452	\$18,274
\$9,888—\$9,912	\$390	\$15,734	\$11,513—\$11,537	\$453	\$18,313
\$9,913—\$9,937	\$391	\$15,774	\$11,538—\$11,562	\$454	\$18,353
\$9,938—\$9,962	\$392	\$15,813	\$11,563—\$11,587	\$455	\$18,393
\$9,963—\$9,987	\$392	\$15,853	\$11,588—\$11,612	\$456	\$18,432
\$9,988—\$10,012	\$393	\$15,893	\$11,613—\$11,637	\$457	\$18,472
\$10,013—\$10,037	\$394	\$15,932	\$11,638—\$11,662	\$458	\$18,512
\$10,038—\$10,062	\$395	\$15,972	\$11,663—\$11,687	\$459	\$18,551
\$10,063—\$10,087	\$396	\$16,012	\$11,688—\$11,712	\$460	\$18,591
\$10,088—\$10,112	\$397	\$16,051	\$11,713—\$11,737	\$461	\$18,631
\$10,113—\$10,137	\$398	\$16,091	\$11,738—\$11,762	\$462	\$18,670
\$10,138—\$10,162	\$399	\$16,131	\$11,763—\$11,787	\$463	\$18,710
\$10,163—\$10,187	\$400	\$16,170	\$11,788—\$11,812	\$464	\$18,750
\$10,188—\$10,212	\$401	\$16,210	\$11,813—\$11,837	\$465	\$18,789
\$10,213—\$10,237	\$402	\$16,250	\$11,838—\$11,862	\$466	\$18,829
\$10,238—\$10,262	\$403	\$16,289	\$11,863—\$11,887	\$467	\$18,869
\$10,263—\$10,287	\$404	\$16,329	\$11,888—\$11,912	\$468	\$18,908
\$10,288—\$10,312	\$405	\$16,369	\$11,913—\$11,937	\$469	\$18,948
\$10,313—\$10,337	\$406	\$16,408	\$11,938—\$11,962	\$470	\$18,988
\$10,338—\$10,362	\$407	\$16,448	\$11,963—\$11,987	\$471	\$19,027
\$10,363—\$10,387	\$408	\$16,488	\$11,988—\$12,012	\$472	\$19,067
\$10,388—\$10,412	\$409	\$16,527	\$12,013—\$12,037	\$473	\$19,107
\$10,413—\$10,437	\$410	\$16,567	\$12,038—\$12,062	\$474	\$19,147
\$10,438—\$10,462	\$411	\$16,607	\$12,063—\$12,087	\$475	\$19,186
\$10,463—\$10,487	\$412	\$16,647	\$12,088—\$12,112	\$476	\$19,226
\$10,488—\$10,512	\$413	\$16,686	\$12,113—\$12,137	\$477	\$19,266
\$10,513—\$10,537	\$414	\$16,726	\$12,138—\$12,162	\$478	\$19,305
\$10,538—\$10,562	\$415	\$16,766	\$12,163—\$12,187	\$479	\$19,345
\$10,563—\$10,587	\$416	\$16,805	\$12,188—\$12,212	\$480	\$19,385
\$10,588—\$10,612	\$417	\$16,845	\$12,213—\$12,237	\$481	\$19,424
\$10,613—\$10,637	\$418	\$16,885	\$12,238—\$12,262	\$482	\$19,464
\$10,638—\$10,662	\$419	\$16,924	\$12,263—\$12,287	\$483	\$19,504
\$10,663—\$10,687	\$420	\$16,964	\$12,288—\$12,312	\$484	\$19,543
\$10,688—\$10,712	\$421	\$17,004	\$12,313—\$12,337	\$485	\$19,583
\$10,713—\$10,737	\$422	\$17,043	\$12,338—\$12,362	\$486	\$19,623
\$10,738—\$10,762	\$423	\$17,083	\$12,363—\$12,387	\$487	\$19,662
\$10,763—\$10,787	\$424	\$17,123	\$12,388—\$12,412	\$488	\$19,702
\$10,788—\$10,812	\$425	\$17,162	\$12,413—\$12,437	\$489	\$19,742
\$10,813—\$10,837	\$426	\$17,202	\$12,438—\$12,462	\$490	\$19,781
\$10,838—\$10,862	\$427	\$17,242	\$12,463—\$12,487	\$490	\$19,821
\$10,863—\$10,887	\$428	\$17,281	\$12,488—\$12,512	\$491	\$19,861
\$10,888—\$10,912	\$429	\$17,321	\$12,513—\$12,537	\$492	\$19,900
\$10,913—\$10,937	\$430	\$17,361	\$12,538—\$12,562	\$493	\$19,940
\$10,938—\$10,962	\$431	\$17,400	\$12,563—\$12,587	\$494	\$19,980
\$10,963—\$10,987	\$432	\$17,440	\$12,588—\$12,612	\$495	\$20,020
\$10,988—\$11,012	\$433	\$17,480	\$12,613—\$12,637	\$496	\$20,059
\$11,013—\$11,037	\$434	\$17,520	\$12,638—\$12,662	\$497	\$20,099
\$11,038—\$11,062	\$435	\$17,559	\$12,663—\$12,687	\$498	\$20,139
\$11,063—\$11,087	\$436	\$17,599	\$12,688—\$12,712	\$499	\$20,178
\$11,088—\$11,112	\$437	\$17,639	\$12,713—\$12,737	\$500	\$20,218
\$11,113—\$11,137	\$438	\$17,678	\$12,738—\$12,762	\$501	\$20,258
\$11,138—\$11,162	\$439	\$17,718	\$12,763—\$12,787	\$502	\$20,297
\$11,163—\$11,187	\$440	\$17,758	\$12,788—\$12,812	\$503	\$20,337
\$11,188—\$11,212	\$441	\$17,797	\$12,813—\$12,837	\$504	\$20,377
\$11,213—\$11,237	\$441	\$17,837	\$12,838—\$12,862	\$505	\$20,416
\$11,238—\$11,262	\$442	\$17,877	\$12,863—\$12,887	\$506	\$20,456
\$11,263—\$11,287	\$443	\$17,916	\$12,888—\$12,912	\$507	\$20,496
\$11,288—\$11,312	\$444	\$17,956	\$12,913—\$12,937	\$508	\$20,535
\$11,313—\$11,337	\$445	\$17,996	\$12,938—\$12,962	\$509	\$20,575
\$11,338—\$11,362	\$446	\$18,035	\$12,963—\$12,987	\$510	\$20,615
\$11,363—\$11,387	\$447	\$18,075	\$12,988—\$13,012	\$511	\$20,654
\$11,388—\$11,412	\$448	\$18,115	\$13,013—\$13,037	\$512	\$20,694

<i>Part A Highest Quarterly Wage</i>	<i>Part B Rate of Compensation</i>	<i>Part C Qualifying Wages</i>	<i>Part A Highest Quarterly Wage</i>	<i>Part B Rate of Compensation</i>	<i>Part C Qualifying Wages</i>
\$13,038—\$13,062	\$513	\$20,734	\$14,663—\$14,687	\$577	\$23,313
\$13,063—\$13,087	\$514	\$20,774	\$14,688—\$14,712	\$578	\$23,353
\$13,088—\$13,112	\$515	\$20,813	\$14,713—\$14,737	\$579	\$23,393
\$13,113—\$13,137	\$516	\$20,853	\$14,738—\$14,762	\$580	\$23,432
\$13,138—\$13,162	\$517	\$20,893	\$14,763—\$14,787	\$581	\$23,472
\$13,163—\$13,187	\$518	\$20,932	\$14,788—\$14,812	\$582	\$23,512
\$13,188—\$13,212	\$519	\$20,972	\$14,813—\$14,837	\$583	\$23,551
\$13,213—\$13,237	\$520	\$21,012	\$14,838—\$14,862	\$584	\$23,591
\$13,238—\$13,262	\$521	\$21,051	\$14,863—\$14,887	\$585	\$23,631
\$13,263—\$13,287	\$522	\$21,091	\$14,888—\$14,912	\$586	\$23,670
\$13,288—\$13,312	\$523	\$21,131	\$14,913—\$14,937	\$587	\$23,710
\$13,313—\$13,337	\$524	\$21,170	\$14,938—\$14,962	\$588	\$23,750
\$13,338—\$13,362	\$525	\$21,210	\$14,963—\$14,987	\$588	\$23,789
\$13,363—\$13,387	\$526	\$21,250	\$14,988—\$15,012	\$589	\$23,829
\$13,388—\$13,412	\$527	\$21,289	\$15,013—\$15,037	\$590	\$23,869
\$13,413—\$13,437	\$528	\$21,329	\$15,038—\$15,062	\$591	\$23,908
\$13,438—\$13,462	\$529	\$21,369	\$15,063—\$15,087	\$592	\$23,948
\$13,463—\$13,487	\$530	\$21,408	\$15,088—\$15,112	\$593	\$23,988
\$13,488—\$13,512	\$531	\$21,448	\$15,113—\$15,137	\$594	\$24,027
\$13,513—\$13,537	\$532	\$21,488	\$15,138—\$15,162	\$595	\$24,067
\$13,538—\$13,562	\$533	\$21,527	\$15,163—\$15,187	\$596	\$24,107
\$13,563—\$13,587	\$534	\$21,567	\$15,188—\$15,212	\$597	\$24,147
\$13,588—\$13,612	\$535	\$21,607	\$15,213—\$15,237	\$598	\$24,186
\$13,613—\$13,637	\$536	\$21,647	\$15,238—\$15,262	\$599	\$24,226
\$13,638—\$13,662	\$537	\$21,686	\$15,263—\$15,287	\$600	\$24,266
\$13,663—\$13,687	\$538	\$21,726	\$15,288—\$15,312	\$601	\$24,305
\$13,688—\$13,712	\$539	\$21,766	\$15,313—\$15,337	\$602	\$24,345
\$13,713—\$13,737	\$539	\$21,805	\$15,338—\$15,362	\$603	\$24,385
\$13,738—\$13,762	\$540	\$21,845	\$15,363—\$15,387	\$604	\$24,424
\$13,763—\$13,787	\$541	\$21,885	\$15,388 or more	\$605	Amount required under section 401(a)(2) (43 P.S. § 801(a)(2))
\$13,788—\$13,812	\$542	\$21,924			
\$13,813—\$13,837	\$543	\$21,964			
\$13,838—\$13,862	\$544	\$22,004			
\$13,863—\$13,887	\$545	\$22,043			
\$13,888—\$13,912	\$546	\$22,083			
\$13,913—\$13,937	\$547	\$22,123			
\$13,938—\$13,962	\$548	\$22,162			
\$13,963—\$13,987	\$549	\$22,202			
\$13,988—\$14,012	\$550	\$22,242			
\$14,013—\$14,037	\$551	\$22,281			
\$14,038—\$14,062	\$552	\$22,321			
\$14,063—\$14,087	\$553	\$22,361			
\$14,088—\$14,112	\$554	\$22,400			
\$14,113—\$14,137	\$555	\$22,440			
\$14,138—\$14,162	\$556	\$22,480			
\$14,163—\$14,187	\$557	\$22,520			
\$14,188—\$14,212	\$558	\$22,559			
\$14,213—\$14,237	\$559	\$22,599			
\$14,238—\$14,262	\$560	\$22,639			
\$14,263—\$14,287	\$561	\$22,678			
\$14,288—\$14,312	\$562	\$22,718			
\$14,313—\$14,337	\$563	\$22,758			
\$14,338—\$14,362	\$564	\$22,797			
\$14,363—\$14,387	\$565	\$22,837			
\$14,388—\$14,412	\$566	\$22,877			
\$14,413—\$14,437	\$567	\$22,916			
\$14,438—\$14,462	\$568	\$22,956			
\$14,463—\$14,487	\$569	\$22,996			
\$14,488—\$14,512	\$570	\$23,035			
\$14,513—\$14,537	\$571	\$23,075			
\$14,538—\$14,562	\$572	\$23,115			
\$14,563—\$14,587	\$573	\$23,154			
\$14,588—\$14,612	\$574	\$23,194			
\$14,613—\$14,637	\$575	\$23,234			
\$14,638—\$14,662	\$576	\$23,274			

[Pa.B. Doc. No. 23-21. Filed for public inspection January 6, 2023, 9:00 a.m.]

**DEPARTMENT OF
TRANSPORTATION**
Findings

Under section 2002(b) of The Administrative Code of 1929 (71 P.S. § 512(b)) establishing the Department of Transportation (Department), the Director of the Bureau of Design and Delivery, as delegated by the Secretary of Transportation, makes the following written findings:

The Department is planning the following listed projects. Environmental and Section 4(f) Documentation have been developed for the following identified projects to evaluate the potential environmental impacts caused by these projects. The Section 4(f) documents also serve as the Section 2002 Evaluation. The approved documents are available in the CE/EA Expert System at <http://www.dotdom2.state.pa.us/ceea/ceeainmain.nsf>. The environmental, economic, social and other effects of the proposed projects have been considered. Based upon studies, there is no feasible and prudent alternative to the use of the Section 2002 resources for the proposed projects identified and all reasonable steps have been taken to minimize the effects.

• **SR 0018, Section 23M—Hempfield Township and Greenville Borough, Mercer County.**

Project Description: The project is located along College Avenue (SR 0018) from Main Street to Mill Road and along Jamestown Road (SR 0358) from Conneaut Lake Road (SR 0018) to East Craig Street. The project consists of mill and inlay, base repair, drainage updates, pavement markings and Americans with Disabilities Act ramps.

Environmental Documents: Categorical Exclusion (CE) 1b Evaluation approved on July 18, 2022, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on June 28, 2022.

Proposed Use of Section 4(f)/2002 Resource: Approximately 0.002-acre of right-of-way (ROW) will be required from Brother Martin's Walk, a contributing element of the Thiel College Historic District, which was determined to be eligible for listing on the National Register of Historic Places (NRHP).

• **SR 0880, Section A03—Crawford Township, Clinton County.**

Project Description: The project is the replacement of the existing structure that carries SR 0880 over Rauchtown Creek.

Environmental Documents: CE Bridge and Roadway Programmatic Agreement (BRPA) Evaluation approved on August 2, 2022, a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on August 1, 2022, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Public Parks, Recreation Areas, Wildlife and/or Waterfowl Refuges, State Forest Land and State Game Land approved on August 1, 2022.

Proposed Use of Section 4(f)/2002 Resources: Approximately 0.06-acre of ROW will be required from the Ravensburg State Park, which is listed in the NRHP and qualifies as a Section 4(f)/2002 resource.

• **SR 0244, Section A10—Oswayo Township, Potter County.**

Project Description: The project is the replacement of the existing bridge that carries Rose Lake Road (SR 0244) over Tyler Hollow.

Environmental Documents: ED 2 Evaluation approved on August 16, 2022, and a Nationwide/Programmatic Section 4(f) Evaluation for Projects that Necessitate the Use of Historic Bridges approved on August 3, 2022.

Proposed Use of Section 4(f)/2002 Resources: The existing structure was determined to be eligible for listing on the NRHP.

• **SR 0000, Section LBR—Athens Township, Bradford County.**

Project Description: The project is the replacement of the bridge that carries Thomas Avenue (T-105) over Cayuta Creek.

Environmental Documents: CE 2 Reevaluation approved on July 29, 2022, and a Nationwide/Programmatic Section 4(f) Evaluation for Projects that Necessitate the Use of Historic Bridges approved on July 15, 2022.

Proposed Use of Section 4(f)/2002 Resources: The existing structure was determined to be eligible for listing on the NRHP.

• **SR 0514, Section 004—Troy Township, Bradford County.**

Project Description: The project is the replacement of the existing bridge that carries SR 0514 over the South Branch of Sugar Creek.

Environmental Documents: CE 1b Evaluation approved on August 9, 2022, and a Nationwide/Programmatic Section 4(f) Evaluation for Minor Involvements with Historic Sites approved on July 25, 2022.

Proposed Use of Section 4(f)/2002 Resources: Approximately 0.181-acre of ROW will be required from the 249-acres Maloney Farm, which was determined to be eligible for listing on the NRHP.

• **SR 3016, Section 008—Canton Borough, Bradford County.**

Project Description: The project is the replacement of the existing bridge that carries Lower Mountain Road (SR 3016) over Mill Creek.

Environmental Documents: ED 1b Reevaluation approved on August 31, 2022, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on July 3, 2019.

Proposed Use of Section 4(f)/2002 Resources: Approximately 0.004-acre of ROW will be required from the Canton Steam Mills Historic District.

• **SR 4002, Section D52—Mehoopany Township, Wyoming County.**

Project Description: The project is the replacement of the existing bridge that carries SR 4002 over Little Mehoopany Creek.

Environmental Documents: ED BRPA Evaluation approved on August 15, 2022, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on August 9, 2022.

Proposed Use of Section 4(f)/2002 Resources: Approximately 0.352-acre of ROW and approximately 0.040-acre of slope easement will be required from the approximately 250-acres Fred J. Kitner Farm, which was determined to be eligible for listing on the NRHP.

• **SR 0183, Section 05B—Reading City, Berks County.**

Project Description: The project is the replacement of the existing bridge that carries Schuylkill Avenue (SR 0183) over the Norfolk Southern Railroad.

Environmental Documents: CE 2 Reevaluation approved on August 29, 2022, a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on August 24, 2022, and a Nationwide/Programmatic Section 4(f) Evaluation for Projects that Necessitate the Use of Historic Bridges approved on March 12, 2020.

Proposed Use of Section 4(f)/2002 Resource: Approximately 0.04-acre of slope easement will be required from the Queen Anne Historic District, which is listed on the NRHP. The existing structure is a contributing element to the Philadelphia and Reading Railroad (Philadelphia to Harrisburg), which was determined to be eligible for listing on the NRHP.

• **SR 0329, Section 01B—Northampton Borough and Whitehall Township, Lehigh County.**

Project Description: The project is the replacement of the existing Cementon Bridge that carries SR 0329 over the Lehigh River on a new alignment.

Environmental Documents: CE 2 Reevaluation approved on August 29, 2022, a Section 4(f) Non-Applicability/No Use approved on November 12, 2019, three forms of Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Public Parks, Recreation Areas, Wildlife and/or Waterfowl Refuges, State Forest Land and State Game Land approved on November 10, 2019, two forms of Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on November 10, 2019, and a Nationwide/Programmatic Section 4(f) Evaluation for Projects that Necessitate the Use of Historic Bridges approved on February 21, 2020.

Proposed Use of Section 4(f)/2002 Resources: Approximately 0.383-acre of ROW will be required from the Northampton Historic District, which was determined to be eligible for listing on the NRHP. Approximately 0.012-acre of permanent easement will be required from the Canal Street Park, which qualifies as a Section 4(f)/2002 resource. Approximately 1,350 linear feet of the D&L Trail will be relocated, which qualifies as a Section 4(f)/2002 resource. Approximately 0.017-acre of ROW will be required from the Lehigh River, which qualifies as a Section 4(f)/2002 resource. Approximately 0.137-acre of ROW will be required from the Lehigh Canal, which is listed on the NRHP. Approximately 0.066-acre will be required from the Whitehall Cement Manufacturing Company Plant, which was determined to be eligible for listing on the NRHP. The existing Cementon Bridge was determined to be eligible for listing on the NRHP.

• **SR 7048, Section WSB—Slatington Borough, Lehigh County.**

Project Description: The project is the replacement of the South Walnut Street Bridge that carries South Walnut Street (SR 7048) over Trout Creek, Factory Street and Slate Heritage Trail.

Environmental Documents: CE 2 Evaluation approved on August 30, 2022 and a Final Section 4(f) Evaluation approved on August 25, 2022.

Proposed Use of Section 4(f)/2002 Resource: Approximately 0.65-acre of ROW will be required from the 165-acres Slatington Historic District, which is listed on the NRHP.

• **SR 0313, Section B02—Doylestown, New Britain, Plumstead and Hilltown Townships, Bucks County.**

Project Description: The project is the reconstruction of a 2.3-mile section of Swamp Road (SR 0313) from Ferry Road (SR 1006) to Broad Street.

Environmental Documents: CE 1b Reevaluation approved on August 31, 2022, two forms of a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on June 19, 2019, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Public Parks, Recreation Areas, Wildlife and/or Waterfowl Refuges, State Forest Land and State Game Land approved on June 19, 2019.

Proposed Use of Section 4(f)/2002 Resources: Approximately 0.04-acre of ROW will be required from the Jefferson Grier Farmstead, which was determined to be eligible for listing on the NRHP. Approximately 0.62-acre of ROW will be required from the Shelley Farmstead, which was determined to be eligible for listing on the NRHP. Approximately 0.12-acre of drainage easement will be required from the approximately 1,500-acres Peace Valley Park, which qualifies as a Section 4(f)/2002 resource.

• **SR 7015, Section 021—Upper Oxford Township, Chester County.**

Project Description: The project is the replacement of the existing Chester County Bridge No. 21 that carries Watermark Road over Muddy Run.

Environmental Documents: CE 1b Reevaluation approved on July 7, 2022, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on April 30, 2019.

Proposed Use of Section 4(f)/2002 Resources: Approximately 0.011-acre ROW will be required from the 13.5-acres Coates Farm property, which was determined to be eligible for listing on the NRHP.

• **SR 7301, Section GAV—City of Philadelphia, Philadelphia County.**

Project Description: The project is the replacement of the Byberry Road Bridge that carries SR 7301 over CSX Railroad.

Environmental Documents: CE 1b Reevaluation approved on August 24, 2022, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on February 28, 2018.

Proposed Use of Section 4(f)/2002 Resources: Approximately 0.080-acre of ROW (aerial easement) will be required from the Philadelphia and Reading Railroad: New York Division (Philadelphia to Yardley); CSX Railroad: Trenton Line (Philadelphia to Yardley), which was determined to be eligible for listing on the NRHP.

• **SR 0011, Section 127—Carlisle Borough, Cumberland County.**

Project Description: The project involves roadway reconstruction and sidewalk improvements along North Hanover Street (SR 0011) and Carlisle Springs Road (SR 0034). A roundabout will also be constructed at the intersection of SR 0011, SR 0034, Penn Street and Fairground Avenue.

Environmental Documents: CE 1b Evaluation approved on July 15, 2022, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on May 2, 2022.

Proposed Use of Section 4(f)/2002 Resources: Approximately 0.004-acre of ROW and 0.026-acre of slope easement will be required from the Cumberland Valley Railroad, which was determined to be eligible for listing on the NRHP.

• **SR 3070, Section 004—West Manheim Township, York County.**

Project Description: The project is the replacement of existing bridge that carries Black Rock Road (SR 3070) over West Branch Codorus Creek.

Environmental Documents: CE 2 Evaluation approved on July 18, 2022, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Public Parks, Recreation Areas, Wildlife and/or Waterfowl Refuges, State Forest Land and State Game Land approved on September 2, 2021.

Proposed Use of Section 4(f)/2002 Resources: Approximately 0.207-acre of ROW will be required from the 3,423-acres Codorus State Park, which qualifies as a Section 4(f)/2002 resource.

• **SR 0453, Section 14B—Tyrone Borough, Blair County.**

Project Description: The project is the replacement of a portion of the existing stone masonry arch culvert that carries Pennsylvania Avenue (SR 0453) over Sink Run.

Environmental Documents: ED 1b Evaluation approved on July 20, 2022, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on May 10, 2022.

Proposed Use of Section 4(f)/2002 Resources: Approximately 0.004-acre of permanent sidewalk easement will be required from the 16.4-acres Tyrone Borough Historic District, which was determined to be eligible for listing on the NRHP.

• **SR 0994, Section 04B—Todd Township, Huntingdon County.**

Project Description: The project is the replacement of the existing bridge which carries Old Plank Road (SR 0994) over Tatman Run.

Environmental Documents: ED BRPA Evaluation approved on July 29, 2022, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Public Parks, Recreation Areas, Wildlife and/or Waterfowl Refuges, State Forest Land and State Game Land approved on July 20, 2022.

Proposed Use of Section 4(f)/2002 Resources: Approximately 0.018-acre of ROW will be required from the Tatman Run Recreation which is part of the 29,700-acres Raystown Lake Complex and qualifies as a Section 4(f)/2002 resource.

• **SR 3001, Section 01A—Richhill Township and West Finley Township, Greene County.**

Project Description: The project is the replacement of the existing structure that carries Day Road (SR 3001) over the Enlow Fork of Wheeling Creek.

Environmental Documents: CE 2 Evaluation approved on July 7, 2022, a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Public Parks, Recreation Areas, Wildlife and/or Waterfowl Refuges, State Forest Land and State Game Land approved on June 4, 2021, and a Nationwide/Programmatic Section 4(f) Evaluation for Projects that Necessitate the Use of Historic Bridges approved on May 23, 2022.

Proposed Use of Section 4(f)/2002 Resources: Approximately 1.218-acres of ROW will be required from the 2,960-acres State Game Lands # 302, which qualifies as a Section 4(f)/2002 resource. The existing structure was determined to be eligible for listing on the NRHP.

• **SR 1035, Section 01B—Longswamp Township, Berks County.**

Project Description: The project is the replacement of the existing bridge that carries Valley Road (SR 1035) over Toad Creek.

Environmental Documents: ED BRPA Evaluation approved on September 26, 2022, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on September 22, 2022.

Proposed Use of Section 4(f)/2002 Resources: Approximately 0.004-acre of ROW will be required from the 31,000-acres Richmond-Maxatawny Rural Historic District eligible for listing on the NRHP.

• **SR 0378, Section 03B—Bethlehem City, Lehigh County.**

Project Description: The project is the improvement of the existing Hill-to-Hill Bridge and surrounding transportation network. The Hill-to-Hill Bridge carries SR 0378 over the Lehigh River, the D&L Trail, the Lehigh Canal and multiple Norfolk Southern rail lines.

Environmental Documents: CE 2 Evaluation approved on September 1, 2022, two forms of a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Public Parks, Recreation Areas, Wildlife and/or Waterfowl Refuges, State Forest Land and State Game Land approved on August 26, 2022, a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on August 26, 2022, and a Section 4(f) Non-Applicability/ No Use approved on August 26, 2022.

Proposed Use of Section 4(f)/2002 Resources: Approximately 0.024-acre of aerial easement will be required from the 1.9-mile South Bethlehem Greenway, which qualifies as a Section 4(f)/2002 resource. Approximately 0.009-acre of ROW will be required from the 72-mile Lehigh River Water Trail, which qualifies as a Section 4(f)/2002 resource. Approximately 0.134-acre of ROW and 0.054-acre of permanent aerial easement will be required from the Central Bethlehem Historic District, which is listed on the NRHP. Approximately 0.059-acre of permanent aerial easement will be required from the Lehigh Valley Railroad: Station (Bethlehem), which was determined to be eligible for listing on the NRHP. Approximately 0.130-acre of permanent aerial easement and 0.001-acre of traffic signal easement will be required from the Fountain Hill Historic District, which is listed on the NRHP. Approximately 0.302-acre of permanent aerial easement will be required from the Lehigh Valley Railroad, which was determined to be eligible for listing on the NRHP. Approximately 0.070-acre of permanent aerial easement will be required from the Philadelphia and Reading Railroad, which was determined to be eligible for listing on the NRHP. Approximately 0.044-acre of permanent aerial easement will be required from the North Pennsylvania Railroad, which was determined to be eligible for listing on the NRHP. Approximately 0.030-acre of ROW will be required from the Hill-to-Hill Bridge, which was determined to be eligible for listing on the NRHP.

• **SR 0611, Section 11M—Pocono Township, Monroe County.**

Project Description: The project consists of the work necessary to provide for the safe and efficient flow of traffic between Interstate 80 (I-80) at Exits 298 and 299 and the surrounding roadway network. The project will include the widening of SR 0611 and SR 0715, realignment of Sullivan Trail Road (SR 4004) and a portion of SR 0715, replacement and retiming of traffic signals, modifications of existing ramps to I-80 and replacement of an existing structure over Pocono Creek.

Environmental Documents: CE 2 Reevaluation approved on September 7, 2022, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Public Parks, Recreation Areas, Wildlife and/or Waterfowl Refuges, State Forest Land, and State Game Land approved on August 27, 2020.

Proposed Use of Section 4(f)/2002 Resources: Approximately 1.27-acres of ROW and approximately 0.10-acre of drainage easement will be required from the 10.43-acres Pocono Township's TLC Park, which qualifies as a Section 4(f)/2002 resource.

• **SR 0097, Section 010—Germany Township, Adams County.**

Project Description: The project is the replacement of the existing bridge that carries Baltimore Pike (SR 0097) over an unnamed tributary to Piney Creek.

Environmental Documents: ED BRPA Evaluation approved on September 9, 2022, and a Determination of

Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on June 27, 2022.

Proposed Use of Section 4(f)/2002 Resources: Approximately 0.009-acre of ROW will be required from the Bechtel Farm, which was determined to be eligible for listing on the NRHP.

CHRISTINE A. SPANGLER, PE,
Director
Bureau of Design and Delivery

[Pa.B. Doc. No. 23-22. Filed for public inspection January 6, 2023, 9:00 a.m.]

HEALTH CARE COST CONTAINMENT COUNCIL

Meeting Scheduled

The Health Care Cost Containment Council (Council) has scheduled a regular council meeting at 10 a.m. on January 12, 2023. An agenda will be available 24 hours in advance at <https://www.phc4.org/council/calendar.htm>.

The public is invited to participate. Contact rgreenawalt@phc4.org at least 24 hours in advance for participation instructions.

BARRY BUCKINGHAM,
Executive Director

[Pa.B. Doc. No. 23-23. Filed for public inspection January 6, 2023, 9:00 a.m.]

INSURANCE DEPARTMENT

Increase in the Accident Surcharge Dollar Threshold (Cap) to \$2,100; Notice 2023-01

Insurers writing private passenger automobile insurance in this Commonwealth may not, by law, penalize their policyholders (for example, apply rate surcharges or otherwise increase premiums) whose aggregate claim cost over a 3-year period does not exceed a certain threshold (cap). This threshold (cap) applies to any person injured or property damaged and is measured in excess of any deductible or self-insured retention. Effective July 1, 2023, the Insurance Department (Department) has increased the threshold (cap) to \$2,100.

Section 1799.3(a) of 75 Pa.C.S. (relating to limit on cancellations, refusals to renew, refusals to write, surcharges, rate penalties and point assignments) does not allow an insurer to “cancel or refuse to renew a policy or apply any surcharge, rate penalty or driver record point assignment” when the threshold (cap) is not exceeded.

By law, the Department is required to adjust the amount of the threshold (cap) at least once every 3 years. Section 1799.3(e) of 75 Pa.C.S. stipulates the adjustment be made relative to changes in the Consumer Price Index for medical care and automobile maintenance and repair costs and may be rounded to the nearest \$50. The previous adjustment to the threshold (cap) was effective July 1, 2022, when the threshold (cap) increased to \$1,900.

Each individual insurer and rating organization should file the previously-discussed change for prior approval by April 1, 2023, and specify an effective date of no later than July 1, 2023.

To expedite the review process, companies are advised to limit their rate/rule filings to the required threshold revision only. Any unrelated changes, revisions and manual pages should not be included in the filing. Additionally, “surcharge disclosure plan(s)” required under 75 Pa.C.S. § 1793(b) (relating to special provisions relating to premiums) do not require the Department’s review and prior approval and should not be submitted in response to this notice.

Questions regarding this notice may be directed to Shannon Kost, Actuarial Review Division, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120, (717) 783-4308, skost@pa.gov.

MICHAEL HUMPHREYS,
Acting Insurance Commissioner

[Pa.B. Doc. No. 23-24. Filed for public inspection January 6, 2023, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Electric Generation Supplier License Cancellation of Companies with an Expired Financial Security, Insufficient Financial Security Amount or Language

Public Meeting held
December 22, 2022

Commissioners Present: Gladys Brown Dutrieuille, Chairperson; Stephen M. DeFrank, Vice Chairperson; Ralph V. Yanora; Katheryn L. Zerfuss; John F. Coleman Jr.

Electric Generation Supplier License Cancellation of Companies with an Expired Financial Security, Insufficient Financial Security Amount or Language;
M-2022-3030286

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, preferably 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 2 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 December 13, 2022, each EGS listed in the Supplier Table below 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.

Supplier Table—List of Electric Generation Suppliers

<i>Docket Number</i>	<i>Company Name</i>	<i>Financial Security Expiration Date</i>	<i>Commission Approved Amount or Language</i>
A-2019-3012812*	ALL AMERICAN POWER & GAS PA, LLC	8/5/2022	No
A-2017-2613121	AURORA ENERGY ADVISORS, LLC	12/12/2022	Yes
A-2011-2280726	BURTON ENERGY GROUP, INC.	11/27/2022	Yes
A-2012-2281591	ENERGY SOLUTIONS USA, INC.	12/1/2022	Yes
A-2021-3024509*	LIGHT POWER & GAS, LLC	11/27/2022	No
A-2013-2365828	MSI UTILITIES, INC.	2/7/2022	Yes
A-2018-3005835	NATIONAL ENERGY ADVISORY, LLC	9/5/2022	Yes
A-2016-2580457	QUICK ENERGY SOLUTIONS, LLC	10/12/2022	Yes
A-2018-2647476	THE OE GROUP, INC.	11/22/2022	Yes
A-2020-3016555	US ENERGY LINK, LLC	11/15/2022	Yes
A-2012-2284040	VERDIGRIS ENERGY, LLC	11/2/2022	Yes

*Taking title to electricity

As part of its EGS license validation procedures, the Commission’s Bureau of Technical Utility Services sent a 90-day Security Renewal Notice email to each entity in the Supplier Table above stating that original documentation of a bond, or other approved security in the amount or 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 Table provided the required documentation.

Based on the above facts, we tentatively conclude that the EGSs listed in the Supplier Table 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 the Supplier Table, 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 the Supplier Table is hereby tentatively approved as being in the public interest.

2. The Secretary (i) 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 generation distribution companies, and all of the Electric Generation Suppliers listed in the Supplier Table; (ii) publish a copy of this Tentative Order in the *Pennsylvania Bulletin* with a 30-day comment period; and (iii) file a copy of this Tentative Order at each Electric Generation Supplier’s assigned docket number.

3. To the extent any of the Electric Generation Suppliers listed in the Supplier Table challenge the cancellation of their license, they must file comments within thirty (30) days after publication of this Tentative Order in the *Pennsylvania Bulletin*. Written comments referencing Docket No. M-2022-3030286 must be eFiled to the Pennsylvania Public Utility Commission through the Commission’s eFiling System. You may set up a free eFiling account with the Commission at <https://efiling.puc.pa.gov/> if you do not have one. Filing instructions may be found on the Commission’s website at http://www.puc.pa.gov/filing_resources.aspx. Comments containing confidential information should be emailed to Commission Secretary Rosemary Chiavetta at rchiavetta@pa.gov rather than eFiled.

4. Alternatively, Electric Generation Suppliers listed in the Supplier Table may provide the Commission an approved security up to and within thirty (30) days after publication in the *Pennsylvania Bulletin*. The Electric Generation Supplier must file an original bond, letter of credit, continuation certificate, amendment, or other approved financial instrument displaying a “wet” signature or digital signature, preferably in blue ink, and displaying a “raised seal” or original notary stamp with Rosemary Chiavetta, Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA, 17120.

5. Absent the timely (i) filing of comments challenging the cancellation of the Electric Generation Supplier’s license, or (ii) the filing of an approved security within 30-days after publication in the *Pennsylvania Bulletin*, the Bureau of Technical Utility Services, shall prepare a

Final Order for entry by the Secretary revoking the license of each Electric Generation Supplier that fails to respond.

6. Upon entry of the Final Order, Electric Generation Suppliers that remain listed as not in compliance with 52 Pa. Code § 54.40(a) and (d) 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.

7. Upon entry of the Final Order, Electric Generation Suppliers that fail to respond will be prohibited from providing electric generation supply services to retail electric customers. That upon entry of the Final Order described in Ordering Paragraph No. 5, 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

ORDER ADOPTED: December 22, 2022

ORDER ENTERED: December 22, 2022

[Pa.B. Doc. No. 23-25. Filed for public inspection January 6, 2023, 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 (Commission). Formal protests, petitions to intervene and answers must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before January 23, 2023. Filings are recommended to be made electronically through eFiling to the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the applicant by January 23, 2023. Individuals can sign up for a free eFiling account with the Secretary of the Commission through the Commission's eFiling system at <https://www.puc.pa.gov/efiling/Default.aspx>. 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. The documents filed in support of the application are only available for inspection through the Commission's web site at www.puc.pa.gov by searching under the previously listed docket number or by searching the applicant's web site.

Applications of the following for approval to *begin operating as common carriers for transportation of persons as described under each application.*

A-2022-3036344. K & T Seahorses, LLC (24 Willow Street, Plymouth, Luzerne County, PA 18651) to transport, as a common carrier, by motor vehicle, persons in

paratransit service, limited to persons in wheelchairs and stretchers from points in Lackawanna, Luzerne, Monroe and Philadelphia Counties, to points in Pennsylvania and return.

A-2022-3037303. Schaad Detective Agency, Inc. (1114 Roosevelt Avenue, York, York County, PA 17404) in paratransit service, between points in the Counties of Dauphin, Lancaster and York. *Attorney:* Todd S. Stewart, 100 North Tenth Street, Harrisburg, PA 17101.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 23-26. Filed for public inspection January 6, 2023, 9:00 a.m.]

PHILADELPHIA PARKING AUTHORITY

Service of Notice of Motor Carrier Applications in the City of Philadelphia

The following permanent authority application to render service as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority's (PPA) Taxicab and Limousine Division (TLD). Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority) with the TLD's Office of the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, no later than January 23, 2023. The nonrefundable protest filing fee is \$5,000 payable to the PPA by certified check or money order. The application is available for inspection at the TLD between 9 a.m. and 4 p.m., Monday through Friday (contact TLD Director Christine Kirlin, Esq. at (215) 683-9653 to make an appointment) or may be inspected at the business addresses of the respective applicants or attorneys, or both.

Doc. No. A-22-12-02. Fall Taxi, LLC (7233 Grays Avenue, Philadelphia, PA 19142): An application for a medallion taxicab certificate of public convenience to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* David R. Alperstein, Esq., 314 Cherry Avenue, Voorhees, NJ 08043.

RICH LAZER,
Executive Director

[Pa.B. Doc. No. 23-27. Filed for public inspection January 6, 2023, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Actions Taken at December Meeting

As part of its regular business meeting held on December 15, 2022, in Harrisburg, PA, the Susquehanna River Basin Commission (Commission) approved the applications of certain water resources projects, and took additional actions, as set forth in the Supplementary Information as follows.

The business meeting was held on December 15, 2022.

For further information contact Jason E. Oyler, General Counsel and Secretary, (717) 238-0423, Ext. 1312, fax (717) 238-2436, joyler@srbc.net. Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788. Also see the Commission web site at www.srbc.net.

Supplementary Information

In addition to the actions taken on projects identified in the previous summary, these actions were also taken: (1) adoption of the regulatory program fee schedule for Calendar Year 2023; (2) adoption of a resolution recognizing the 50th anniversary of the Clean Water Act; and (3) approval of contracts, grants and agreements.

Project Applications Approved:

1. Project Sponsor and Facility: Blossburg Municipal Authority, Bloss Township, Tioga County, PA. Applications for groundwater withdrawals (30-day averages) of up to 0.144 mgd from Taylor Run Well 1 and 0.144 mgd from Taylor Run Well 3.

2. Project Sponsor and Facility: BlueTriton Brands, Inc. (Valley View Springs), Hegins Township, Schuylkill County, PA. Applications for renewal of surface water withdrawal of up to 0.200 mgd (peak day) and consumptive use of up to 0.200 mgd (peak day) (Docket No. 19971101).

3. Project Sponsor: Constellation Energy Generation, LLC. Project Facility: Three Mile Island Generating Station, Londonderry Township, Dauphin County, PA. Applications for renewal of groundwater withdrawals (30-day averages) of up to 0.099 mgd from Well A, 0.099 mgd from Well B, and 0.099 mgd from Well C (Docket No. 20110610), and Commission-initiated modification of surface water and consumptive use approvals based on changes in operating status of the project and revised demand projections.

4. Project Sponsor: Corning Incorporated. Project Facility: Corporate Headquarters, City of Corning, Steuben County, NY. Application for renewal of groundwater withdrawal of up to 1.440 mgd (30-day average) from Well 6A (Docket No. 19981201).

5. Project Sponsor and Facility: Dover Township, York County, PA. Applications for groundwater withdrawals (30-day averages) of up to 0.088 mgd from Well 10 (Docket No. 19911104).

6. Project Sponsor and Facility: Hughesville Borough Authority, Wolf Township, Lycoming County, PA. Applications for renewal of groundwater withdrawals (30-day averages) of up to 0.260 mgd from Well 1, 0.260 mgd from Well 2 and 1.440 mgd from Well 3 (Docket No. 20070604).

7. Project Sponsor: Municipal Authority of the Township of East Hempfield. Project Facility: Hempfield Water Authority, East Hempfield Township, Lancaster County, PA. Applications for renewal of groundwater withdrawals (30-day averages) of up to 0.353 mgd from Well 6, 0.145 mgd from Well 7, 1.447 mgd from Well 8, and 1.800 mgd from Well 11, and Commission-initiated modification to Docket No. 20120906, which approves withdrawals from Wells 1—5 and Spring S-1 (Docket Nos. 19870306, 19890503, 19930101 and 20120906).

8. Project Sponsor and Facility: Repsol Oil & Gas USA, LLC (Choconut Creek), Choconut Township, Susquehanna County, PA. Application for renewal of surface water withdrawal of up to 0.999 mgd (peak day) (Docket No. 20171206).

9. Project Sponsor: State College Friends Limited Partnership. Project Facility: Toftrees Golf Resort (Pond 9), Patton Township, Centre County, PA. Applications for surface water withdrawal of up to 0.750 mgd (peak day), and renewal with modification to increase consumptive use (peak day) by an additional 0.480 mgd, for a total consumptive use of up to 0.750 mgd (Docket No. 20021010).

10. Project Sponsor and Facility: SWN Production Company, LLC (Lycoming Creek), Lewis Township, Lycoming County, PA. Application for renewal of surface water withdrawal of up to 0.500 mgd (peak day) (Docket No. 20171208).

11. Project Sponsor and Facility: SWN Production Company, LLC (Lycoming Creek), McIntyre Township, Lycoming County, PA. Application for renewal of surface water withdrawal of up to 0.500 mgd (peak day) (Docket No. 20171209).

12. Project Sponsor: The United States Department of Veterans Affairs. Project Facility: Indiantown Gap National Cemetery, East Hanover and Union Townships, Lebanon County, PA. Application for consumptive use of up to 0.099 mgd (30-day average).

13. Project Sponsor: Veolia Water Pennsylvania, Inc. Project Facility: Grantham Operation, Upper Allen Township, Cumberland County, PA. Application for renewal of groundwater withdrawal of up to 0.395 mgd (30-day average) from Well 2 (Docket No. 19901104).

Project Scheduled for Action Involving a Diversion:

1. Project Sponsor and Facility: BlueTriton Brands, Inc. (Valley View Springs), Hegins Township, Schuylkill County, PA. Application for approval of an out-of-basin diversion of up to 0.200 mgd (peak day).

Project Tabled:

1. Project Sponsor and Facility: Dover Township, York County, PA. Applications for groundwater withdrawals (30-day averages) of up to 0.360 mgd from Well 8 (Docket No. 19911104).

Authority: Pub.L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808

Dated: December 20, 2022

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 23-28. Filed for public inspection January 6, 2023, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Projects Approved for Consumptive Uses of Water

The Susquehanna River Basin Commission (Commission) has approved by rule the following projects from November 1, 2022, through November 30, 2022.

For further information contact Jason E. Oyler, General Counsel and Secretary, (717) 238-0423, Ext. 1312, fax (717) 238-2436, joyler@srbc.net. Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

Supplementary Information

This notice lists the projects, described as follows, receiving approval for the consumptive use of water under the Commission's approval by rule process in 18 CFR 806.22(f) (relating to standards for consumptive uses of water) for the time period previously specified:

Water Source Approval—Issued Under 18 CFR 806.22(f):

1. Chesapeake Appalachia, LLC; Pad ID: Keeler Hollow; ABR-201009041.R2; Smithfield Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: November 14, 2022.
2. EXCO Resources (PA), LLC; Pad ID: Fulmer Drilling Pad # 1; ABR-20100616.R2; Franklin Township, Lycoming County, PA; Consumptive Use of Up to 2.0000 mgd; Approval Date: November 14, 2022.
3. Repsol Oil & Gas USA, LLC; Pad ID: ABELL (05 112) G; ABR-201209002.R2; Warren Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: November 14, 2022.
4. Seneca Resources Company, LLC; Pad ID: Bauer 849 2022; ABR-202211001; Middlebury Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: November 14, 2022.
5. Chesapeake Appalachia, LLC; Pad ID: Delhagen; ABR-201009066.R2; Rush Township, Susquehanna County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: November 22, 2022.
6. Chesapeake Appalachia, LLC; Pad ID: Driscoll; ABR-201009061.R2; Overton Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: November 22, 2022.
7. Coterra Energy Inc.; Pad ID: StockholmK P1; ABR-20100663.R2; Dimock Township, Susquehanna County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: November 22, 2022.
8. Inflection Energy (PA), LLC; Pad ID: Fox B Well Site; ABR-201709001.R1; Shrewsbury Township, Lycoming County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: November 22, 2022.
9. Seneca Resources Company, LLC; Pad ID: Erickson 448; ABR-201009050.R2; Delmar Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: November 22, 2022.
10. Seneca Resources Company, LLC; Pad ID: Kalke 819; ABR-201009042.R2; Chatham Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: November 22, 2022.
11. Seneca Resources Company, LLC; Pad ID: Lingle 1102; ABR-201009049.R2; Deerfield Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: November 22, 2022.
12. Seneca Resources Company, LLC; Pad ID: Owlett 843; ABR-201009058.R2; Middlebury Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: November 22, 2022.
13. Chesapeake Appalachia, LLC; Pad ID: Bennett NMPY-38; ABR-201009069.R2; Tuscarora Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: November 23, 2022.
14. EQT ARO, LLC; Pad ID: COP Tr 731 Pad A; ABR-201009057.R2; Cummings Township, Lycoming County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: November 23, 2022.
15. Repsol Oil & Gas USA, LLC; Pad ID: Schmelzle 703; ABR-201009064.R2; Union Township, Tioga County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: November 23, 2022.
16. SWN Production Company, LLC; Pad ID: FREITAG PAD; ABR-201209010.R2; Jackson Township, Susquehanna County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: November 23, 2022.
17. SWN Production Company, LLC; Pad ID: MARVIN PAD; ABR-201209009.R2; Jackson Township, Susquehanna County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: November 23, 2022.
18. SWN Production Company, LLC; Pad ID: SWOPE PAD; ABR-201209007.R2; Jackson Township, Susquehanna County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: November 23, 2022.
19. Chesapeake Appalachia, LLC; Pad ID: Balent NEW; ABR-201008149.R2; Wysox Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: November 29, 2022.
20. Chesapeake Appalachia, LLC; Pad ID: Donna; ABR-201008096.R2; Terry Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: November 29, 2022.
21. Chesapeake Appalachia, LLC; Pad ID: Governale; ABR-201009082.R2; Wysox Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: November 29, 2022.
22. Chesapeake Appalachia, LLC; Pad ID: Lambert Farms; ABR-201008011.R2; Forks Township, Sullivan County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: November 29, 2022.
23. Chesapeake Appalachia, LLC; Pad ID: Matt; ABR-201009073.R2; Elkland Township, Sullivan County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: November 29, 2022.
24. Chesapeake Appalachia, LLC; Pad ID: Rain; ABR-201009077.R2; Elkland Township, Sullivan County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: November 29, 2022.
25. Chesapeake Appalachia, LLC; Pad ID: Warren; ABR-201008010.R2; Windham Township, Wyoming County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: November 29, 2022.
26. Seneca Resources Company, LLC; Pad ID: Pichler 1H; ABR-201509003.R1; Jay Township, Elk County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: November 29, 2022.
27. SWN Production Company, LLC; Pad ID: WOOSMAN PAD; ABR-201209006.R2; New Milford Township, Susquehanna County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: November 29, 2022.
28. Chesapeake Appalachia, LLC; Pad ID: Boyanowski; ABR-201009076.R2; Meshoppen Township, Wyoming County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: November 30, 2022.
29. Chesapeake Appalachia, LLC; Pad ID: Clarke; ABR-201008145.R2; Overton Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: November 30, 2022.
30. Chesapeake Appalachia, LLC; Pad ID: Earnshaw; ABR-201508003.R1; Mehoopany Township, Wyoming County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: November 30, 2022.

31. Chesapeake Appalachia, LLC; Pad ID: Foster; ABR-201009093.R2; Wysox Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: November 30, 2022.

32. Chesapeake Appalachia, LLC; Pad ID: Hope; ABR-201009102.R2; Meshoppen Township, Wyoming County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: November 30, 2022.

33. Chesapeake Appalachia, LLC; Pad ID: Scheffler; ABR-201007102.R2; Standing Stone Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: November 30, 2022.

34. Chesapeake Appalachia, LLC; Pad ID: Van DeMark; ABR-201007106.R2; Windham Township, Wyoming County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: November 30, 2022.

Authority: Pub.L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806 and 808

Dated: December 20, 2022

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 23-29. Filed for public inspection January 6, 2023, 9:00 a.m.]

GENERAL ASSEMBLY

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

COMMISSION ON SENTENCING PART VIII. CRIMINAL SENTENCING

[204 PA. CODE CH. 303a]

Proposed 8th Edition Sentencing Guidelines

The Pennsylvania Commission on Sentencing hereby publishes for public comment a proposed 8th Edition Sentencing Guidelines, 204 Pa. Code §§ 303a.1—303a.8, to replace the 7th Edition Sentencing Guidelines, 204 Pa. Code §§ 303.1—303.18(c), for offenses committed on or after January 1, 2024, the effective date of the proposed 8th Edition Sentencing Guidelines. The proposed 8th Edition Sentencing Guidelines are set forth in Annex A.

The Commission adopted the 7th Edition Sentencing Guidelines on September 13, 2012, and published the same in the *Pennsylvania Bulletin* on September 29, 2012 (42 Pa.B. 6072). Following numerous amendments, the Commission most recently adopted Amendment 6 of the 7th Edition Sentencing Guidelines on September 10, 2020, and published the same in the *Pennsylvania Bulletin* on September 26, 2020 (50 Pa.B. 5341). All editions and amendments to sentencing guidelines remain in effect for offenses committed on or after the effective date of the edition or amendment, but do not apply to offenses committed on or after the effective date of subsequent editions or amendments to the sentencing guidelines.

On December 8, 2022, the Commission approved for the purpose of public comment proposed 8th Edition Sentencing Guidelines. Due to extensive amendments, the Commission proposes adding a new Chapter 303a, applicable to offenses committed on or after January 1, 2024, to replace the 7th Edition Sentencing Guidelines, Amendment 6. Proposed amendments include substantive changes to the assignment of offense gravity scores, the determination of the prior record score, and the targeting of sentence recommendations. The proposed amendments also address editorial changes, including to provide a summary of general provisions, to improve the clarity of the language, and to change the grouping and sequencing of various provisions.

In accordance with 42 Pa.C.S. § 2155 (relating to publication of guidelines for sentencing, resentencing and parole, risk assessment instrument and recommitment ranges following revocation), the Commission shall publish in the *Pennsylvania Bulletin* the proposed sentencing guidelines and hold public hearings not earlier than 30 days and not later than 60 days thereafter to afford an opportunity for the following persons and organizations to testify:

Pennsylvania District Attorneys Association
Chiefs of Police Associations
Fraternal Order of Police
Public Defenders Organization
Law School faculty members
Pennsylvania Parole Board
Pennsylvania Department of Corrections
Pennsylvania Bar Association
Pennsylvania Wardens Association
Pennsylvania Association on Probation, Parole and Corrections

Pennsylvania Conference of State Trial Judges
Any other interested person or organization

The Commission has scheduled the following hearings to receive public comment on the proposed sentencing guidelines:

Justice Juanita Kidd Stout Center for Criminal Justice
Courtroom 507

1301 Filbert Street
Philadelphia, PA

Wednesday, February 8, 2023, at 1:30 p.m.

Northampton County Courthouse
Courtroom 1

669 Washington Street
Easton, PA

Friday, February 17, 2023, at 10:00 a.m.

Duquesne University Thomas R. Kline School of Law
208 Hanley Hall

900 Locust Street
Pittsburgh, PA

Wednesday, February 22, 2023, at 1:30 p.m.

Pennsylvania Department of Corrections (remote hearing)

Registration open to the public; testimony limited to incarcerated individuals

Zoom Webinar (registration for public access):

<https://bit.ly/DOCPubHrng2023Feb27>

Monday, February 27, 2023, at 10:00 a.m.

Erie County Courthouse
Courtroom D-214

140 West 6th Street
Erie, PA

Thursday, March 2, 2023, at 10:00 a.m.

K. Leroy Irvis Office Building (hybrid hearing)
Room 523

450 Commonwealth Avenue
Harrisburg, PA

Zoom Webinar (registration for public access):

<https://bit.ly/PCSPubHrng2023March8>

Wednesday, March 8, 2023, at 9:00 a.m.

Those wishing to attend or testify at Zoom Webinar hearings may register at the link provided. Those wishing to testify in person may register by contacting the Commission (Cathy Dittman—814 863-5729, cwd2@psu.edu).

Persons or organizations wishing to testify in-person or via Zoom Webinar are asked to register and provide an electronic copy of any testimony at least five business days prior to the hearing. 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).

JUDGE TAMARA R. BERNSTEIN,

Chair

Commentary on Annex A

On January 22, 2022, the Commission published a working draft of sentencing guidelines proposals in the *Pennsylvania Bulletin* (52 Pa.B. 583) and held six public hearings. The working draft was developed following a comprehensive review of the sentencing guidelines, which began in 2014, and considered recommendations from the following:

- Strategic Planning Work Group (SPWG, 2014—2016)
- Model Penal Code: Sentencing (MPCS, 2001—2017)
- Justice Reinvestment Initiative (JRI-II, 2016—2019)

- Academic Review Panel (ARP, 2020-2021)

As noted in the publication of the working draft, the comprehensive review provided an opportunity to study current practices and research best practices; to consider approaches to streamline, automate, and update the sentencing guidelines; to promote greater certainty in sentencing and more efficient use of resources and programs; and to harmonize the sentencing guidelines with amended statutes and with other Commission mandates, including the sentence risk assessment instrument, resentencing guidelines, parole guidelines, and recommitment ranges. The working draft proposals suggested restructuring of the sentencing guidelines by providing more targeted sentence recommendations, redirecting the primary focus of the recommendations on factors associated with the conviction offense, and reducing the impact of the prior record.

During the public hearings, the Commission heard from over thirty agencies, associations, and individuals, including incarcerated individuals at four state correctional institutions. Many of those testifying supported the concepts and the approach outlined in the working draft, with most identifying areas of concern or providing suggestions for improvement, and most requesting additional detail.

Following the hearings, Commission staff met with numerous stakeholder groups to further discuss the proposals and review additional recommendations, including the Pennsylvania Conference of State Trial Judges, Pennsylvania District Attorneys Association, Public Defender Association of Pennsylvania, and the Pennsylvania Office of Victim Advocate; presented information during the Pennsylvania Bar Institute Criminal Law Symposium; and held regional meetings in Jefferson, Washington, and Tioga counties. During its quarterly meetings and several special policy meetings, the Commission prepared the proposed 8th Edition Sentencing Guidelines found in Annex A.

The proposed 8th Edition Sentencing Guidelines replace the current sentencing guidelines for offenses committed on or after January 1, 2024. If adopted, the 8th Edition Sentencing Guidelines will be added as a new chapter in the *Pennsylvania Code*, Chapter 303a, with earlier sentencing guidelines reserved in Chapter 303. Consistent with the working draft, the proposed 8th Edition Sentencing Guidelines:

- Recalibrate and expand the number of offense gravity score categories, from 14 general categories to 30 general categories, with an additional eight categories established for the three degrees of murder. The restructured offense gravity score categories are intended to provide more targeted recommendations and more uniform and proportional increases between categories.
- Rebuild the prior record score, reducing the number of categories from eight to five and focusing on the severity of the most serious prior offense and the number of prior offenses of equal seriousness; and reduce the overall impact of the prior record score for less serious offenders, by lowering sentence recommendations linked to criminal history, and by expanding lapsing provisions to include the removal of certain prior convictions.
- Streamline the application of enhancements, by using standardized adjustments to offense gravity score assignments to address the nearly twenty statutes and over 50 sentence factors considered; and restructure the

offense gravity score assignments for DUI and BUI to address both the mandatory minimum sentencing requirements and the grade of the offense.

- Promote greater consideration of the aggregate sentence, whether confinement or probation, the use of clinical assessments and evaluations, and the programs and treatment alternatives available through correctional institutions and in the community.

Provided below is a description of each of the new sections of the proposed sentencing guidelines, with reference to similar sections contained in the current sentencing guidelines:

Section 303a.1. Preliminary provisions.

This is a new section that includes: the statutory authorization to adopt guidelines for sentencing, probation, restrictive conditions, fines, and community service; a new list of definitions of words and phrases used in the sentencing guidelines; a list of dispositions authorized by statute, also referred to as sentencing alternatives; and a list of sentencing and correctional programs authorized by statute. The authorized dispositions are found in part in § 303.9 of the current sentencing guidelines; the authorized programs are found in § 303.12 of the current sentencing guidelines.

Section 303a.2. Guideline sentencing standards.

This section addresses general provisions, procedures at sentencing, and the reporting of information to the Commission, and is substantially similar to §§ 303.1 and 303.2 of the current sentencing guidelines. A new table has been created to provide a listing of the editions of and amendments to the sentencing guidelines, and corresponding effective dates (see Table A).

Section 303a.3. Offense gravity score.

This section addresses policies related to the assignment of offense gravity scores, including assignments for enhancements and for mandatory minimum sentencing provisions. The general provisions are substantially similar to § 303.3 of the current sentencing guidelines, but as noted previously, increases the number of offense gravity score categories. The enhancement provisions are substantially similar to § 303.10 of the current sentencing guidelines, although OGS adjustments replace various other methods to enhance sentences. The mandatory sentencing provisions are substantially similar to § 303.9 of the current sentencing guidelines, although the OGS assignments for BUI and DUI have been updated to reflect recent legislative amendments and greater reliance on the mandatory requirements as the basis for OGS assignments. Three new OGS tables are created: a listing of offenses with OGS assignments, which is a revised version of § 303.15 of the current sentencing guidelines (see Tables B-1, B-2, B-3); a new listing of all enhancements, and the OGS assignment or adjustment (see Table C); and a listing of BUI and DUI offenses with OGS assignments, a revised version of § 303.15 of the current sentencing guidelines (see Tables D-1, D-2).

Section 303a.4. Prior record score.

This section addresses policies related to the determination of the prior record score, including general provisions, procedures for identifying previous offenses, lapsing provisions, procedures for determining the prior record score category, and miscellaneous provisions. These policies relate to but substantially change §§ 303.4—303.8 of the current sentencing guidelines. Substantive changes include increasing the age at which juvenile adjudications are considered in the prior record score from 14 years of

age to 16 years of age; establishing four prior offense groups (POG) based on the grade and seriousness of any previous offenses, to replace the current point system; expanding the juvenile lapsing provisions and adding adult lapsing provisions; and streamlining the process for determining the prior record score, reducing the number of PRS categories, and limiting the impact of the prior record score for persons with less serious previous offenses.

Section 303a.5. Guideline sentence recommendation.

This section addresses general provisions, purposes of sentencing, sentencing levels and standard range recommendations, and is substantially similar to §§ 303.5, 303.9, and 303.11 of the current sentencing guidelines. However, two changes distinguish the proposed guidelines from the current guidelines: the proposed guidelines increase the number of sentencing levels from five to eight, with each of the new levels linked to a specific disposition, and in case of state confinement, further linked to the duration of the recommendation or the degree of murder, with the proposed guidelines adding a specific level to address murder of the third degree. Murder of the third degree was separated out due to the nature of the circumstances leading to a conviction and the wide distribution of sentences. The Commission sought to provide courts with broad discretion while at the same time requiring the reporting of reasons for sentences to provide a better basis for future OGS assignments.

Section 303a.6. Aggravated and mitigated circumstances.

This section addresses the consideration of aggravating and mitigating circumstances, the aggravated and mitigated ranges of the sentencing guidelines, sentences that depart from the guidelines, and the reporting of reasons to the Commission. While the section is substantially similar to § 303.13 of the current sentencing guidelines, the Commission has added a list of reasons to be considered by the court and requires the reporting of reasons to the Commission when a sentence imposed is outside the standard range of the guidelines and in every case when a sentence is imposed for murder of the third degree.

Section 303a.7. Judicial proceeding recommendations.

This is a new section which addresses the imposition of multiple sentences during a judicial proceeding and brings together provisions scattered throughout the current guidelines regarding concurrent and consecutive sentences, aggregate sentences, the consideration of sentencing programs, and the determination of eligibility and appropriateness for correctional programs. The Commission includes general recommendations, rather than specific guidelines, intended to promote greater consistency in the use of concurrent or consecutive sentences, and to encourage the consideration of evidence-based programs and practices.

Section 303a.8. Sentencing matrix.

This section contains the proposed sentencing matrix, which provides more targeted sentence recommendations, and more consistent and uniform increases across OGS and PRS categories, which supports the use of OGS increases for enhancements, thus eliminating multiple matrices. This matrix replaces those found at §§ 303.16(a), 303.16(b), 303.17(a), 303.17(b), 303.18(a), 303.18(b), and 303.18(c) of the current sentencing guidelines.

Annex A
TITLE 204. JUDICIAL SYSTEM
GENERAL PROVISIONS
PART VIII. CRIMINAL SENTENCING
CHAPTER 303a. SENTENCING GUIDELINES

Sec.	
303a.1.	Preliminary provisions.
303a.2.	Guideline sentencing standards.
303a.3.	Offense gravity score.
303a.4.	Prior record score.
303a.5.	Guideline sentence recommendation.
303a.6.	Aggravated and mitigated circumstances.
303a.7.	Judicial proceeding recommendations.
303a.8.	Sentencing matrix.

§ 303a.1. Preliminary provisions.

(a) *Authorization for adoption of guidelines.*

(1) *Adoption of guidelines for sentencing and probation.* As authorized by 42 Pa.C.S. § 2154 (relating to adoption of guidelines for sentencing), the Commission shall adopt guidelines for sentencing within the limits established by law which shall be considered by the sentencing court in determining the appropriate sentence for persons who plead guilty or nolo contendere to, or who were found guilty of, felonies and misdemeanors.

(i) In adopting guidelines, the commission shall recommend confinement that is consistent with the protection of the public, the gravity of the offense as it relates to the impact on the life of the victim and the community and the rehabilitative needs of the person.

(ii) The guidelines shall address the following retributive factors:

(A) Seriousness of the offense, by specifying the range of sentences applicable to crimes of a given degree of gravity.

(B) Criminal history, by specifying a range of sentences of increased severity or intensity of intervention for persons previously convicted of or adjudicated delinquent for one or more misdemeanor or felony offenses committed prior to the current offense. The commission may exclude or reduce the valuation of less serious offenses and increase the valuation of offenses committed while under supervision or in a temporal or offense pattern.

(C) Criminal behavior, by specifying a range of sentences of increased severity or intensity of intervention for persons with increased culpability, including those who possessed or used a deadly weapon or inflicted substantial harm during the commission of the current conviction offense.

(D) Aggravated and mitigated ranges, by specifying variations from the range of sentences applicable on account of aggravating or mitigating circumstances.

(E) The impact of any amendments to 42 Pa.C.S. § 9756 (relating to sentence of total confinement).

(iii) The guidelines shall include the following risk-related adjustments:

(A) Incapacitation of serious violent persons.

(B) Modifications to criminal history to reflect risk to reoffend and substantial risk to public safety to adjust the length of total confinement for more serious criminal history.

(iv) The guidelines shall address the use of county intermediate punishment programs as restrictive conditions of probation and the duration of terms of probation.

(v) The guidelines shall include interactive information to support decisions with risk and recidivism information.

(2) *Adoption of guidelines for restrictive conditions and certification of compliance.* As authorized by 42 Pa.C.S. § 2154.1 (relating to adoption of guidelines for restrictive conditions), the Commission shall adopt guidelines to identify persons who would be eligible and appropriate for restrictive conditions of probation. These guidelines shall be considered by the sentencing court in determining whether to impose restrictive conditions pursuant to 42 Pa.C.S. § 9763 (relating to conditions of probation).

(i) The guidelines shall give primary consideration to reducing recidivism for the protection of the public safety.

(ii) The Commission shall certify compliance by each county with guidelines adopted by the commission for county intermediate punishment or for imposing restrictive conditions of probation, and with related statutory requirements and 42 Pa.C.S. § 9728(g.1) (relating to collection of restitution, reparation, fees, costs, fines and penalties), and report the results to the Pennsylvania Commission on Crime and Delinquency.

(3) *Adoption of guidelines for fines, other economic sanctions, and community service.* As authorized by 42 Pa.C.S. § 2154.3 (relating to adoption of guidelines for fines), the Commission shall adopt guidelines for fines or other lawful economic sanctions, within the limits established by law, which shall be considered by the sentencing court in determining the appropriate sentence for persons who plead guilty or nolo contendere to or who are found guilty of felonies and misdemeanors. The guidelines shall do all of the following:

(i) Specify the range of fines or other lawful economic sanctions, applicable to crimes of a given degree of gravity.

(ii) Specify a range of fines or other lawful economic sanctions of increased amount for persons previously convicted or adjudicated delinquent for one or more misdemeanor or felony offenses committed prior to the current offense. For purposes of this paragraph, the term “previously convicted or adjudicated delinquent” shall include any finding of guilt or adjudication of delinquency whether or not sentence has been imposed or disposition ordered prior to the commission of the current offense.

(iii) Prescribe variations from the range of fines applicable on account of aggravating or mitigating circumstances.

(iv) Prescribe community service alternatives which may be imposed in lieu of all or part of the fines where the sentencing court finds the person lacks the ability to pay all or part of the fine.

(b) *Definitions.* For the purposes of these guidelines, as codified in Part VIII of 204 Pa. Code (relating to criminal sentencing), the following words and phrases shall have the following meanings unless the context clearly indicates otherwise:

“Adjudication.” A finding by a Juvenile Court that a juvenile has committed a delinquent act or that a child has committed an offense excluded from the definition of “delinquent act” and has been transferred from criminal proceedings pursuant to 42 Pa.C.S. § 6322 (relating to transfer from criminal proceedings).

“Adjudication of delinquency.” Following an adjudication hearing in which a Juvenile Court finds the juvenile

committed a delinquent act, a determination by a Juvenile Court that the juvenile is in need of treatment, supervision, or rehabilitation.

“Aggregated sentence.” As required by 42 Pa.C.S. § 9762(f) (relating to sentencing proceeding; place of confinement), two or more consecutive sentences that have been combined, whereby the aggregate minimum term is the sum of the consecutive minimum terms, and the aggregate maximum term is the sum of the consecutive maximum terms.

“Aggregate term of probation.” The sum of all consecutive terms of probation imposed during a judicial proceeding.

“Autism spectrum disorder.” Any of the pervasive developmental disorders defined in the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition (DSM-5), including autistic disorder, Asperger’s disorder and pervasive developmental disorder not otherwise specified.

“Board.” Pennsylvania Parole Board. An independent executive branch agency comprised of nine members appointed by the Governor and confirmed by the Senate for six-year terms. The Board has the responsibility to parole, recommit for violations of parole, and to discharge from parole offenders sentenced to confinement in a state facility.

“Bodily injury.” Impairment of physical condition or substantial pain.

“CPCMS—common pleas case management system.” A web-based application, operated by the Administrative Office of Pennsylvania Courts, which serves as a source of information from courts of common pleas on current and prior conviction offenses, used to prepare sentencing guidelines and sentence risk assessments.

“Commission.” Pennsylvania Commission on Sentencing. A criminal justice agency of the General Assembly authorized to adopt and implement a sentence risk assessment instrument and guidelines for sentencing and resentencing to be considered by the court, and guidelines for parole and recommitment to be considered by the Board.

“Concurrent sentence.” Sentences imposed to be served simultaneously or at the same time.

“Consecutive sentence.” Sentences imposed to be served one after another. As provided in 42 Pa.C.S. § 9757 (relating to consecutive sentences of total confinement for multiple offenses) and 42 Pa.C.S. § 9762(f), consecutive confinement sentences shall be aggregated into a single sentence with one minimum term and one maximum term.

“Conviction.” A finding of guilty or the entering of a plea of guilty or nolo contendere for a felony or misdemeanor, whether or not judgement of sentence has been imposed.

“Course of conduct.” A pattern of actions composed of more than one act over a period of time, however short, evidencing a continuity of conduct.

“Court.” Unless otherwise provided, a court of common pleas or any judge thereof, the Philadelphia Municipal Court or any judge thereof, the Pittsburgh Magistrates Court or any judge thereof, or any magisterial district judge.

“Crime-free.” Following a conviction and sentence and subsequent release to the community, the completion of a prescribed period of time without commission of a new felony or misdemeanor, for which the person pleads guilty

or nolo contendere or is found guilty. For non-confinement sentences, release to the community begins on the date of sentencing; for confinement sentences, release to the community begins on the date of initial release on parole, or release following completion of the confinement sentence, whichever is earlier.

“Crime of violence.” An adjudication or conviction for an offense listed under 42 Pa.C.S. § 9714(g) (relating to sentences for second and subsequent offenses).

“Criminal gang.” A formal or informal ongoing organization, association, or group, with or without an established hierarchy, that has as one of its primary activities the commission of criminal or delinquent acts and that consists of three or more persons.

“Deadly weapon.” Any firearm, as defined in 42 Pa.C.S. § 9712 (relating to sentences for offenses committed with firearms), whether loaded or unloaded; or any dangerous weapon, as defined in 18 Pa.C.S. § 913 (relating to possession of firearm or other dangerous weapon in court facility); or any device, implement, or instrumentality designed as a weapon or capable of producing death or serious bodily injury, including where the court determines that the person intended to use the weapon to threaten or injure another person.

“Decay.” A type of lapsing which involves the removal from the determination of the prior record score certain prior adjudication or conviction offenses following a prescribed period of time.

“Delinquent act.” An act designated a crime under the law of this Commonwealth, or of another state if the act occurred in that state, or under Federal law.

“Department.” Pennsylvania Department of Corrections (DOC). An executive branch agency responsible for operating the state prison system and providing parole supervision of reentrants.

“Disposition.” The final determination made by a Juvenile Court after an adjudication of delinquency.

“Enhancement.” An adjustment to the basic sentence recommendations based on a determination by the court that a specified factor is present. Enhancements may be incorporated into the offense gravity score assignments or may require an increase in the assignments.

“Family or household member.” Spouses or persons who have been spouses, persons living 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.

“Gap.” A type of lapsing which involves the removal from the determination of the prior record score certain prior adjudication or conviction offenses following a prescribed period of crime-free behavior.

“Guideline sentence form.” A document or a computer generated sentence information report promulgated by the Commission. The form provides the court with a guideline sentence recommendation and other relevant information for each conviction offense for consideration prior to sentencing; following sentencing, the form includes information on the sentence imposed and reasons for the sentence. The form is generated by SGS Web based on information entered or verified by users authorized by the court; following sentencing, SGS Web is used to electronically submit all required information used to generate the form to the Commission.

“Inchoate offenses.” The offenses of criminal attempt, criminal solicitation, and criminal conspiracy.

“Intellectual disability.” Regardless of the age of the individual, significantly subaverage general intellectual functioning that is accompanied by significant limitations in adaptive functioning in at least two of the following skill areas: communications; self-care; home living; social and interpersonal skills; use of community resources; self-direction; functional academic skills; work; safety.

“Judicial proceeding.” A sentencing hearing in which all offenses for which a person is convicted are pending before the court. A judicial proceeding may include multiple dockets and OTNs.

“Lapsing.” The removal from the determination of the prior record score certain prior adjudication or conviction offenses. Lapsing includes decay and gap. Decay is the removal of a prior offense following a prescribed period of time. Gap is the removal of a prior offense following a prescribed period of crime-free behavior.

“MDJS—magisterial district judge system.” A web-based application, operated by the Administrative Office of Pennsylvania Courts, which serves as a source of information from minor courts on charges filed and the disposition of charges filed, used to prepare sentencing guidelines and sentence risk assessments.

“Minor.” A person who is less than 18 years of age.

“OGS—offense gravity score.” An assignment in the sentencing guidelines reflecting the seriousness of the conviction offense. There are 30 general OGS categories, OGS 1 through OGS 30, and eight OGS categories limited to assignments for murder.

“OTN—offense tracking number.” A unique identifying number assigned to an entire set of related charges. An OTN is generally assigned by the court at the time of arraignment.

“POG—prior offense group.” Classification of previous adjudication and conviction offenses based on seriousness used to determine the prior record score. There are four groups, POG1 through POG4, with POG1 being the least serious previous offenses and POG4 being the most serious previous offenses.

“PRS—prior record score.” A category in the sentencing guidelines reflecting the seriousness of the criminal history of a person, based on certain previous juvenile adjudications and/or convictions. There are five PRS categories, PRS 0 through PRS 4.

“Prior adjudication.” A previous offense for which the commission of the offense and the adjudication of delinquency for the offense occurred prior to the commission of the current conviction offense.

“Prior conviction.” A previous offense for which the commission of the offense and the conviction for the offense occurred prior to the commission of the current conviction offense.

“REVOG—repeat violent offender category.” A prior record score category based on adjudications and/or convictions of two or more crimes of violence, as provided in 42 Pa.C.S. § 9714(g).

“RS—restorative sanctions.” Non-confinement sentencing alternatives and penalties, including determination of guilt without further penalty, fine, community service, and restitution.

“School zone.” Within 250 feet of the real property on which is located a public or private elementary or secondary school.

“*Sentencing levels.*” Categories associated with recommended dispositions and durations, based on the combination of the offense gravity score and prior record score. There are eight sentencing levels (Level A—Level H).

“*Serious bodily injury.*” Bodily injury which creates a substantial risk of death, or which causes serious, permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

“*Serious crimes.*” Except for crimes of violence, an adjudication or conviction for any felony of the first degree or felony of the second degree, or an adjudication or conviction for a felony of the third degree or misdemeanor of the first degree as provided in the following: 18 Pa.C.S. Part II, Article B (relating to offenses involving danger to the person), 18 Pa.C.S. Chapter 61-A (relating to Uniform Firearms Act), and 42 Pa.C.S. § 9799.14 (relating to sexual offenses and tier system).

“*SGS Web—sentencing guidelines software web application.*” A JNET web-based application developed and operated by the Commission and required to be used for the preparation of sentencing guidelines, sentence risk assessment instruments, and resentencing guidelines, and for the electronic reporting of all required information to the Commission.

“*SID—state identification number.*” A unique number associated with each person based on fingerprints.

“*Statutory limit.*” The longest minimum term of confinement permitted by law, which is one-half the statutory maximum.

“*Statutory maximum.*” The maximum period of confinement or of probation authorized for the disposition of a person, as provided in 18 Pa.C.S. Chapter 11 (relating to authorized disposition of offenders).

(c) *Authorized dispositions.*

(1) The guidelines include recommendations regarding the type of disposition, referred to as sentencing alternatives; the duration of confinement and/or community supervision; the intensity of conditions; and the requirements associated with restitution and other economic sanctions.

(2) *Sentencing alternatives.* As provided in 42 Pa.C.S. Chapter 97 (relating to sentencing), courts are authorized to select one or more of the alternatives listed below when determining the sentence to impose. For purposes of the guidelines, the Commission has grouped these alternatives into four categories based on the increasing severity of the sanction to promote proportionality in sentencing.

(i) *Restorative sanctions*

(A) Determination of guilt without further penalty, pursuant to 42 Pa.C.S. § 9753 (relating to determination of guilt without further penalty).

(B) Fine, as provided in 42 Pa.C.S. § 9758 (relating to fine), including but not limited to:

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

(II) 35 P.S. § 780-113(b)—(o) (relating to prohibited acts, penalties)

(III) 42 Pa.C.S. § 9726 (relating to fine)

(IV) 75 Pa.C.S. § 3804 (relating to penalties)

(C) Restitution, as provided in 42 Pa.C.S. § 9721(c) (relating to mandatory restitution), including but 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)

(D) Costs, as provided in 42 Pa.C.S. § 9721(c.1) (relating to mandatory payment of costs), including but not limited to:

(I) 18 Pa.C.S. § 1109 (relating to costs)

(II) 18 P.S. § 11.1101 (relating to costs)

(III) 18 P.S. § 11.1102 (relating to costs for offender supervision programs)

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

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

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

(E) Fees, including but not limited to:

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

(II) 42 Pa.C.S. § 1725.3 (relating to criminal laboratory user fees)

(III) 42 Pa.C.S. § 1725.4 (relating to fee increases and automation fee)

(IV) 42 Pa.C.S. § 1725.5 (relating to booking center fee)

(V) 42 Pa.C.S. § 1725.7 (relating to petition for expungement or order for limited access fee)

(ii) *Probation.* Order of probation, pursuant to 42 Pa.C.S. § 9754 (relating to order of probation), as provided in 42 Pa.C.S. § 9763(b) (relating to conditions of probation).

(iii) *Probation with restrictive conditions.* Order of probation, pursuant to 42 Pa.C.S. § 9754, as provided in:

(A) 42 Pa.C.S. § 9763(c); and

(B) 42 Pa.C.S. § 9763(d)

(iv) *Confinement*

(A) Partial or total confinement in a county facility, pursuant to 42 Pa.C.S. § 9755 (relating to sentence of partial confinement) and § 9756 (relating to sentence of total confinement), as provided in:

(I) 42 Pa.C.S. § 9762(b)(2) and (3) (relating to sentencing proceeding; place of confinement); and

(II) 75 Pa.C.S. § 3804(d) (relating to extended supervision of court)

(B) Total confinement in a state facility, pursuant to 42 Pa.C.S. § 9756, as provided in 42 Pa.C.S. § 9762(b)(1) and (2).

(d) *Authorized programs.*

(1) The guidelines include recommendations and requirements for sentencing and reentry programs for consideration by the court, as well as correctional programs operated by the Department for which the court determines eligibility and appropriateness.

(2) *Sentencing and reentry programs.* The following sentencing and reentry programs are authorized by statute for consideration by the courts:

(i) County intermediate punishment programs as restrictive conditions of probation, as provided in 42 Pa.C.S. § 9804 (relating to county intermediate punishment programs).

(A) *Purpose.* 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 persons 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 persons who demonstrate special needs to receive services which enhance their ability to become contributing members of the community.

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

(I) 37 Pa. Code § 451.111 et seq.

(II) 42 Pa.C.S. §§ 2154, 2154.1, 9754, 9763, 9773 and Chapter 98.

(III) Sentence recommendations which include an option of county intermediate punishment programs as restrictive conditions of probation for certain persons are described in sections 303a.3(c) and 303a.5(c).

(C) *Plan.* The county intermediate punishment plan, as described in 42 Pa.C.S. Chapter 98 (relating to county intermediate punishment), 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.

(D) *Restrictive conditions of probation.* Restrictive conditions of probation, as provided in 42 Pa.C.S. § 9763(d), are defined as programs that provide for strict supervision of the person. The county intermediate punishment board is required to develop assessment and evaluation procedures to assure the appropriate targeting of persons. All programs must meet the statutory requirements of 42 Pa.C.S. § 9763, satisfy the minimum standards of the Pennsylvania Commission on Crime and Delinquency regulations found at 37 Pa. Code Chapter 451 (relating to intermediate punishment programs), and comply with the guidelines adopted pursuant to 42 Pa.C.S. § 2151.1 (relating to adoption of guidelines for restrictive conditions).

(I) Restrictive conditions of probation: house the person full time or part time; or significantly restrict the person's movement and monitor the person's compliance with the program, including electronic monitoring or home confinement.

(II) A person under consideration for restrictive conditions of probation at Level C or D 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) A person assessed to be dependent on alcohol or other drugs shall be evaluated for purposes of a treatment

recommendation by one of the above listed assessors. The evaluation shall consider the level of motivation of the person. If sentenced to a restrictive condition 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) A person assessed as not in need of drug or alcohol treatment may be placed in any approved restrictive condition of probation. Each day of participation in a restrictive condition of probation shall be considered the equivalent of one day of confinement for guideline sentencing recommendations.

(E) *Restrictive DUI probation conditions.* Restrictive DUI probation conditions, as provided in 42 Pa.C.S. § 9763(c), are specified programs that may be used to satisfy the mandatory minimum sentencing requirements of certain convictions under 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. The county intermediate punishment board is required to develop assessment and evaluation procedures to assure the appropriate targeting of persons. All programs must meet the statutory requirements of 42 Pa.C.S. § 9763, satisfy the minimum standards of the Pennsylvania Commission on Crime and Delinquency regulations found at 37 Pa. Code Chapter 451, and comply with the guidelines adopted pursuant to 42 Pa.C.S. § 2151.1. Unless otherwise provided in statute, restrictive DUI probation conditions include:

(I) If the person 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, a sentence with restrictive DUI probation conditions shall include participation in drug and alcohol treatment under 75 Pa.C.S. § 3815(c), and shall have restrictive DUI probation conditions of: a residential inpatient program or residential rehabilitative center; house arrest with electronic surveillance; a partial confinement program such as work release, a work camp or a halfway facility; or any combination of these programs.

(II) If the person is determined not to be in need of drug and alcohol treatment, the person shall have restrictive DUI probation conditions of: house arrest with electronic surveillance; or partial confinement programs such as work release, a work camp or a halfway facility; or any combination of these programs.

(ii) County reentry plan, as provided in 42 Pa.C.S. § 9756(b)(3).

(A) 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.

(B) A county reentry plan is not authorized where the maximum sentence imposed is two years or more, or where a mandatory minimum sentence of imprisonment or total confinement is required by law.

(C) At the time of sentencing, the court shall state whether or not the person is eligible to participate in a county 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.

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

(iii) Partial release from a county facility (work release), as provided in 42 Pa.C.S. § 9755(c).

(A) An order, imposed with a partial confinement sentence, granting a person the privilege of leaving the county correctional facility during necessary and reasonable hours, for employment, education, medical treatment, or any other purpose approved by the court.

(B) At the time of sentencing, the court shall state whether partial release is authorized, and any conditions ordered, with a partial confinement sentence.

(C) Correctional authorities shall determine when and under what conditions consistent with the order issued the person shall be permitted to be absent from the correctional institution.

(iv) Mandatory period of probation for certain sexual offenders, as provided in 42 Pa.C.S. § 9718.5 (relating to mandatory period of probation for certain sexual offenders).

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

(B) 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.

(C) 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.

(v) State reentry supervision, as provided in 61 Pa.C.S. § 6137.2 (relating to reentry supervision).

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

(B) 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.

(C) The Court may impose the period of reentry supervision required in addition to the maximum sentence permitted for the offense for which the person was convicted.

(D) 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) *Correctional programs.* The following correctional programs are authorized by statute and operated by the Department for which the court determines eligibility and appropriateness:

(i) State motivational boot camp program, as provided in 61 Pa.C.S. Chapter 39 (relating to motivational boot camp).

(A) A program for eligible persons committed to the Department in which the person participates 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.

(B) *Eligibility.* The following statute governs operation of and eligibility for the state motivational boot camp: eligible persons, as provided in 61 Pa.C.S. § 3903 (relating to definitions).

(C) Boot camp is recommended for eligible persons less than 40 years of age committed to the Department 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.

(D) The court shall indicate on the person's commitment order and the guideline sentence form if the person is excluded from eligibility for the boot camp program. The Department makes the final determination as to whether the person will be accepted into the boot camp program.

(E) 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.

(ii) State drug treatment program, as provided in 61 Pa.C.S. Chapter 41 (relating to state drug treatment program).

(A) A 24-month program for drug-related persons committed to the Department 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.

(B) *Eligibility.* The following statute governs operation of and eligibility for the state drug treatment program: eligible person, as provided in 61 Pa.C.S. § 4103 (relating to definitions).

(C) State drug treatment program is recommended for eligible persons convicted of drug-related offenses committed to the Department 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.

(D) The court shall indicate on the person's commitment order and the Guideline sentence form if the person is excluded from eligibility for the state drug treatment program. The Department makes the final determination as to whether the person will be accepted into the state drug treatment program.

(E) Upon 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.

(F) The court may impose a consecutive period of probation. The total duration of a sentence of state

confinement and consecutive probation may not exceed the maximum term for which the eligible person could otherwise be sentenced.

(iii) Recidivism risk reduction incentive (RRRI) program, as provided in 61 Pa.C.S. Chapter 45 (relating to recidivism risk reduction incentive).

(A) A program to encourage eligible non-violent persons committed to the Department to participate in and successfully complete evidence-based programs that reduce the likelihood of recidivism and improve public safety.

(B) *Eligibility.* The following statute governs operation of and eligibility for the recidivism risk reduction incentive program: eligible person, as provided in 61 Pa.C.S. § 4503 (relating to definitions).

(C) 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 person. 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.

(D) The court shall indicate on the person'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 five-sixths of the minimum sentence when the minimum sentence is greater than three years.

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

(iv) Short sentence parole (SSP) program, as provided in 61 Pa.C.S. § 6137.1 (relating to short sentence parole).

(A) A program for eligible non-violent persons committed to the Department with an aggregate minimum sentence of confinement of two years or less for which parole at minimum without an interview is authorized

(B) *Eligibility.* The following statute governs operation of and eligibility for short sentence parole: 61 Pa.C.S. § 6137.1(a).

(C) Short sentence parole requires the 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.

(D) 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.

§ 303a.2. Guideline sentencing standards.

(a) *General provisions.*

(1) The court shall consider the sentencing guidelines in determining the appropriate sentence for persons 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.

(2) The sentencing guidelines do not apply to sentences imposed as a result of the following: accelerated rehabili-

tative disposition; disposition in lieu of trial; direct or indirect contempt of court; violations of protection from abuse orders; revocation of probation, except as provided in 204 Pa. Code Chapters 307 and 307a (relating to resentencing guidelines for 7th edition sentencing guidelines; and resentencing guidelines for 8th edition sentencing guidelines); or revocation of parole, except as provided in 204 Pa. Code Chapter 311 (relating to State parole recommitment ranges).

(3) The sentencing guidelines shall apply to all offenses committed on or after the effective date of the guidelines. Editions or amendments to the sentencing guidelines shall apply to all offenses committed on or after the effective date of the edition or amendment to the guidelines.

(i) The effective date of the initial sentencing guidelines and effective dates of editions and amendments to the sentencing guidelines are provided in Table A.

(ii) On October 7, 1987, the Pennsylvania Supreme Court invalidated the sentencing guidelines due to a procedural error that occurred in 1981, when the General Assembly rejected the initial sentencing guidelines adopted by the Commission. As a result, sentencing guidelines adopted prior to April 25, 1988, were declared by the Court to be of no force.

(iii) For offenses committed on multiple dates, the guidelines shall be applied based on the date of each offense and the effective date of the editions or amendments to the guidelines. If the specific dates of the offenses cannot be determined, the later date shall be used to determine the applicable edition or amendment of the sentencing guidelines.

(4) 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 the sentencing a statement of the reason or reasons for the sentence imposed. In every case in which a court of record imposes a sentence or resentence outside the guidelines, the court shall report the reason or reasons for the deviation from the guidelines to the Commission.

(b) *Procedures at sentencing.*

(1) Determining the guideline sentence recommendations for the judicial proceeding:

(i) Determine the offense gravity score for each conviction offense as described in § 303a.3.

(ii) Determine the corresponding prior record score as described in § 303a.4.

(iii) Determine the guideline sentence recommendation for each conviction offense as described in § 303a.5.

(2) Consideration of recommendations and imposition of sentence:

(i) Consider the standard range recommendation as provided in § 303a.8, and any circumstances that warrant consideration of a sentence in the aggravated or mitigated ranges, or a departure above or below the guidelines, as provided in § 303a.6.

(ii) Consider the judicial proceeding recommendations, as provided in § 303a.7, including the imposition of concurrent or consecutive sentences and the authorization of any sentencing or correctional programs based on the aggregate sentence.

(3) Report the sentence(s) and reasons as required to the Commission via SGS Web.

(c) *Reporting information to the Commission.*

(1) As authorized by 42 Pa.C.S. § 2153(a)(14) (relating to power and duties of commission) and as required by 42 Pa.C.S. § 9721(b) (relating to sentencing generally), the court shall submit required guidelines and sentencing information to the Commission for each conviction offense and for the judicial proceeding.

(2) The full submission of data to the Commission, and certification of compliance with guidelines and with the county's intermediate punishment plan for imposing restrictive conditions, is required by Act 2019-114 and 42 Pa.C.S. § 2151.1(b) regarding adoption of guidelines for restrictive conditions.

(3) Unless otherwise provided by the Commission, the JNET-based SGS Web application shall be used at the court's direction to prepare the guideline sentence form for each conviction offense, and the sentence guideline form for any resentencing for a revocation of probation, as provided in 204 Pa. Code Chapters 307 and 307a.

(4) Following imposition of the sentence, a completed guideline sentence form, including the state identification number (SID), the sentence imposed, reasons for deviation from the sentencing guidelines, and all required guidelines and sentencing information for each conviction offense and for the judicial proceeding, shall be made a part of the record, and the information electronically submitted to the Commission using SGS Web no later than 30 days after the date of sentencing.

(5) Following revocation of probation and resentencing, a completed guideline sentence form, including the state identification number (SID), the resentencing imposed, reasons for deviation from the resentencing guidelines, and all required guidelines and resentencing information, including information from the completed sentence guideline form associated with the initial order of probation, shall be made a part of the record, and the information electronically submitted to the Commission using SGS Web no later than 30 days after the date of resentencing.

§ 303a.3. Offense gravity score.

(a) *General provisions.*

(1) The offense gravity score (OGS) measures the seriousness of the current conviction offense and is the primary determinant of the guideline sentence recommendation. An OGS is assigned to each conviction offense, based on the elements of the offense and the classification of the crime. There are 30 general OGS categories, with another six OGS categories for assignments limited to murder of the first or second degree.

(2) *Subcategorized offenses.* Certain conviction offenses are subcategorized and may be assigned more than one OGS based on the presence of specific sentencing factors determined by the court at sentencing and/or mandatory minimum sentencing provisions. Subcategorized offenses are included in the offense listings in Tables B1—B3 and Tables D1-D2 and designated by an asterisk [*].

(3) Assignments for specific offense categories:

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

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

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

(C) 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 OGS of the offense attempted, solicited, or which was the object of the conspiracy.

(ii) *Offenses with classifications associated with underlying offenses.*

(A) Convictions for Ethnic Intimidation (18 Pa.C.S. § 2710), Terrorism (18 Pa.C.S. § 2717), Ecoterrorism (18 Pa.C.S. § 3311), and other offenses for which the grade is classified one degree higher than the underlying offense are assigned an OGS two points higher than the OGS of the underlying offense but cannot exceed OGS 30.

(B) Convictions for Obstruction of Justice (18 Pa.C.S. § 3016), Unlawful Contact with Minor (18 Pa.C.S. § 6318), and other offenses for which the grade is classified the same as an associated or underlying offense are assigned the same OGS as the associated or underlying offense, unless otherwise provided.

(iii) *Violations of The Controlled Substance, Drug, Device and Cosmetic Act (35 P.S. §§ 780-101—780-144).*

(A) 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 with the highest OGS.

(B) Exception for prescription pills. For violations of § 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 OGS assignment applies.

(C) Subcategorization. OGS assignments for violations of § 780-113(a)(12), (a)(14), and (a)(30) are subcategorized based on the type and quantity of the controlled substance, and the statutory maximum of the controlled substance, including the applicability of § 780-114 or § 780-115.

(4) *Omnibus offense gravity score.* The omnibus OGS is assigned based on the grade of the conviction offense and applies to any offense not listed in Tables B1—B3 or Tables D1-D2, and as provided below, may apply to new or amended sections of statute enacted by the General Assembly.

(i) The omnibus OGS assignments are as follows:

(A) Felony 1 (statutory maximum greater than 20 years)	OGS 22
(B) Felony 1	OGS 14
(C) Felony 2	OGS 11
(D) Felony 3 and unclassified felonies	OGS 9
(E) Misdemeanor 1	OGS 7
(F) Misdemeanor 2	OGS 4
(G) Misdemeanor 3 and unclassified misdemeanors	OGS 2

(ii) For an addition of a new subsection of statute:

(A) The lowest OGS assigned within the section based on the grade or statutory maximum of the offense shall apply to the new subsection.

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

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

(iii) For an amendment to an existing section of statute:

(A) When the definition of an offense listed in Tables B1—B3 is changed, the previously assigned OGS shall apply.

(B) When the grade or statutory maximum of a subsection listed in Tables B1—B3 has increased, the omnibus OGS shall apply, unless the previously assigned OGS is higher.

(C) When the grade or statutory maximum of a subsection listed in Tables B1—B3 has decreased, the omnibus OGS shall apply, unless the previously assigned OGS is lower.

(b) *Enhancements.*

(1) Enhancements are increases to the initial OGS assignment that apply when a court determines one or more specified sentencing factors were present during the commission of the crime. The application of an enhancement is determined by the court at sentencing, based on a preponderance of the evidence. Sentence enhancements may be mandated by statute or established by the Commission.

(2) Enhancements are included in guideline sentence recommendations through two approaches:

(i) Subcategorization, in which one or more sentencing factors identified for enhancement are included in the OGS assignment in Tables B1—B3; and/or

(ii) Adjustment, in which the OGS assignment in Tables B1—B3 is increased when it is determined that one or more sentencing factors identified for enhancement were present during the commission of the crime.

(3) An enhancement shall apply to each conviction offense for which the court determines the sentencing factor is present, unless the sentencing factor is an element of the crime or a sentencing factor considered in the OGS assignment, or the sentencing factor has been applied through another enhancement. The OGS may not exceed OGS 30 based on an enhancement adjustment. An enhancement may apply generally to any offense or a category of offenses or may be limited to specified offenses.

(4) *Descriptions of general enhancements.*

(i) *Deadly Weapon Enhancement*, as provided in 42 Pa.C.S. § 2154(b)(3).

(A) *Deadly Weapon Possessed.* When the court determines that the person possessed a deadly weapon during the commission of the current conviction offense, the court shall adjust the OGS as provided in Table C. The person has possessed a deadly weapon if the deadly weapon was on the person's person or within his immediate physical control.

(B) *Deadly Weapon Used.* When the court determines that the person used a deadly weapon during the commission of the current conviction offense, the court shall adjust the OGS as provided in Table C. The person has used a deadly weapon if a deadly weapon was employed by the person in a way that threatened or injured another person.

(C) The deadly weapon enhancements shall not apply to the following offenses: (I) 18 Pa.C.S. § 907 (relating to possessing instruments of crime)

(II) 18 Pa.C.S. § 908 (relating to prohibited offensive weapons)

(III) 18 Pa.C.S. § 912 (relating to possession of weapon on school property)

(IV) 18 Pa.C.S. § 913 (relating to possession of firearm or other dangerous weapon in court facility)

(V) 18 Pa.C.S. § 2701(a)(2) (relating to simple assault with deadly weapon)

(VI) 18 Pa.C.S. § 2702(a)(4) (relating to aggravated assault with deadly weapon)

(VII) Any offense assigned to Level G or Level H in the sentencing guidelines.

(VIII) Any offense for which possession of a deadly weapon is an element of the statutory definition, including theft when property stolen is a firearm and any violation of the Pennsylvania Uniform Firearms Act.

(ii) *School/Youth Enhancement*, as provided in 42 Pa.C.S. § 2154(b)(3).

(A) The school/youth drug enhancement applies when the court determines that the person: distributed a controlled substance to a person or persons under 18 years of age and/or manufactured, delivered, or possessed with intent to deliver a controlled substance within a school zone. When the court determines one or both sentencing factors were present, the court shall adjust the OGS as provided in Table C.

(B) The enhancement only applies to violations of 35 P.S. § 780-113(a)(14) and (a)(30).

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

(A) When the court determines that the person committed a crime of violence in association with a criminal gang, the court shall adjust the OGS as provided in Table C.

(B) When the court determines that the person committed a violation of 35 P.S. § 780-113(a)(30) in association with a criminal gang, the court shall adjust the OGS as provided in Table C.

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

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

(A) When the court determines that the person 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 adjust the OGS as provided in Table C.

(B) When the court further determines that a person knew the crime was witnessed, either through sight or sound, by a minor who is also a family or household member of the person or the victim, the court shall

consider ordering the person to pay the costs or fees associated with the assessment and treatment of the minor for exposure to domestic violence.

(5) *Descriptions of crimes code enhancements.*

(i) Third Degree Murder of a Victim Younger than Age 13 Enhancement, as required by 42 Pa.C.S. § 9711.1. 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 consider the enhanced sentence recommendations provided in Tables B1—B3.

(ii) Causing or Aiding Suicide Enhancement, as required by 18 Pa.C.S. § 2505(c). When the court determines the person who died by suicide or was aided or solicited to die by suicide was under 18 years of age and has an intellectual disability or autism spectrum disorder, the court shall consider the enhanced sentence recommendations provided in Tables B1—B3.

(iii) Trafficking in Individuals and Involuntary Servitude Enhancement, as required by 18 Pa.C.S. § 3024. When the court determines that the person violated 18 Pa.C.S. § 3011 (relating to trafficking in individuals) or § 3012 (relating to involuntary servitude) and any of the following factors were present, the court shall adjust the OGS as provided in Table C:

(A) The person committed a violation involving sexual servitude; or

(B) The victim was a minor less than 18 years of age; or

(C) The victim was a minor less than 13 years of age; or

(D) In the course of committing a violation, the person also violated one or more of the following offenses:

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

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

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

(iv) Sexual Extortion, as required by 18 Pa.C.S. § 3133(e).

(A) When the court determines that the person violated 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, the court shall consider the enhanced sentence recommendations provided in Tables B1—B3.

(B) When the court determines that the person violated 18 Pa.C.S. § 3133 (relating to sexual extortion) and the complainant attempts suicide resulting in serious bodily injury or dies by suicide, within 90 days of the commission of the offense, as a proximate result of the trauma that the complainant experienced during or following the commission of the offense, the court shall adjust the OGS as provided in Table C.

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

(A) 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 consider the enhanced sentence recommendations provided in Tables B1—B3:

(I) Bodily injury results to a firefighter, police officer or person actively engaged in fighting the fire; or

(II) Serious bodily injury results to a civilian.

(B) 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 adjust the OGS as provided in Table C:

(I) More than three persons were present inside the property at the time of the offense; or

(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).

(vi) Burglary Enhancement, as required by 18 Pa.C.S. § 3502(d.1) and 42 Pa.C.S. § 9720.7.

(A) When the court determines that the person violated 18 Pa.C.S. § 3502(a)(1)(i) (relating to burglary), regarding burglary of a structure adapted for overnight accommodations in which at the time of the offense any person is present and the person commits, attempts or threatens to commit a bodily injury therein, the court shall consider the enhanced sentence recommendations provided in Tables B1—B3.

(B) When the court determines that the person violated 18 Pa.C.S. § 3502 (relating to burglary) and a domestic animal was harmed or killed in the course of the burglary, the court shall adjust the OGS as provided in Table C.

(vii) Robbery of Motor Vehicle Enhancement, as required by 18 Pa.C.S. § 3702(b). When the court determines that the person violated 18 Pa.C.S. § 3702 (relating to robbery of motor vehicle), the court shall consider the enhanced sentence recommendations provided in Tables B1—B3.

(viii) Person Not to Possess, Use, Manufacture, Control, Sell or Transfer Firearms Enhancement, as required by 18 Pa.C.S. § 6105(a.1)(1.1)(ii). When the court determines that the person violated 18 Pa.C.S. § 6105(a)(1) (relating to person not to possess, use, manufacture, control, sell or transfer firearms), regarding person not to possess a firearm; conviction for enumerated felony or drug felony, and was previously convicted or was in physical possession or control of a firearm, the court shall consider the enhanced sentence recommendations provided in Tables B1—B3.

(ix) Sexual Abuse of Children Enhancement, as required by 42 Pa.C.S. § 9720.5.

(A) When the court determines that the person violated 18 Pa.C.S. § 6312 (relating to sexual abuse of children) and that indecent contact with a child is depicted and the child depicted is under 10 years of age or prepubescent, the court shall consider the enhanced sentence recommendations provided in Tables B1—B3.

(B) When the court determines that the person violated 18 Pa.C.S. § 6312 (relating to sexual abuse of children) and that the person possessed more than 50 images, the court shall adjust the OGS as provided in Table C. 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.

(C) When the court determines that the person violated 18 Pa.C.S. § 6312 (relating to sexual abuse of children) and that the abuse depicted in the images possessed by the person are of a sexual or violent nature or character, the court shall adjust the OGS as provided in Table C. This enhancement shall apply to any image possessed by the person which portrays or contains any of the following:

- (I) The bondage of a child; or
- (II) A dangerous weapon as defined in 18 Pa.C.S. § 913 used in a sexual context; or
- (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).

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

(6) *Descriptions of vehicle code enhancements.*

(i) Homicide by Vehicle Enhancements, as provided in 42 Pa.C.S. § 2154(b)(3) and required by 75 Pa.C.S. § 3732. When the court determines that the person violated 75 Pa.C.S. § 3732 (relating to homicide by vehicle) and that one or more of the following sentencing factors are present, the court shall consider the enhanced sentence recommendations as provided in Tables B1—B3:

(A) *Category A*: violation of 75 Pa.C.S. § 3802 (relating to driving under the influence) or 75 Pa.C.S. § 3316 (relating to prohibiting text-based communications).

(B) *Category B*: violation of 75 Pa.C.S. § 3326 (relating to duty of driver in construction and maintenance areas or on highway safety corridors), 75 Pa.C.S. § 3325 (relating to duty of driver on approach of emergency vehicle), or 75 Pa.C.S. § 3327 (relating to duty of driver in emergency response areas and in relation to disabled vehicles).

(C) *Category C*: violation of 75 Pa.C.S. § 1501 (relating to drivers required to be licensed) or 75 Pa.C.S. § 1543 (relating to driving while operating privilege is suspended or revoked).

(ii) Aggravated Assault by Vehicle Enhancements, as provided in 42 Pa.C.S. § 2154(b)(3) and required by 75 Pa.C.S. § 3732.1. When the court determines that the person violated 75 Pa.C.S. § 3732.1 (relating to aggravated assault by vehicle) and that one or more of the following sentencing factors are present, the court shall consider the enhanced sentence recommendations as provided in Tables B1—B3:

(A) *Category A*: violation of 75 Pa.C.S. § 3802 (relating to driving under the influence) or 75 Pa.C.S. § 3316 (relating to prohibiting text-based communications).

(B) *Category B*: violation of 75 Pa.C.S. § 3326 (relating to duty of driver in construction and maintenance areas or on highway safety corridors), 75 Pa.C.S. § 3325 (relating to duty of driver on approach of emergency vehicle), or 75 Pa.C.S. § 3327 (relating to duty of driver in emergency response areas and in relation to disabled vehicles).

(C) *Category C*: violation of 75 Pa.C.S. § 1501 (relating to drivers required to be licensed) or 75 Pa.C.S. § 1543 (relating to driving while operating privilege is suspended or revoked).

(iii) Accidents Involving Death Enhancement, as provided in 75 Pa.C.S. § 3742(b)(3)(ii). When the court

determines that the person violated 75 Pa.C.S. § 3742 (relating to accidents involving death or personal injury) and the victim dies, the court shall consider the enhanced sentence recommendations as provided in Tables B1—B3.

(iv) Driving Under the Influence of Alcohol or Controlled Substance Enhancement, as required by 75 Pa.C.S. § 3732. When the court determines that the person violated 75 Pa.C.S. § 3802(a)(1) where the person refused testing of breath or chemical testing or 75 Pa.C.S. § 3802(c) or (d) and where the person has four or more prior offenses, the court shall consider the enhanced sentence recommendations as provided in Tables B1—B3.

(c) *Mandatory sentencing provisions.*

(1) 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.

(2) For mandatory sentencing provisions provided for in Title 30, Chapter 55 (relating to operation of boats) and in Title 75, Section 1543(b) (relating to driving while operating privilege is suspended or revoked), Chapter 37-B (relating to serious traffic offenses), Chapter 37-C (relating to accidents and accident reports), and Chapter 38 (relating to driving after imbibing alcohol or utilizing drugs), the court shall consider the OGS assignments as provided in Tables D1-D2.

(3) Mandatory sentences for which restrictive DUI probation conditions (42 Pa.C.S. § 9763(c)) are authorized.

(i) The court shall consider the sentence recommendations for a person convicted under 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).

(ii) The court may use restrictive DUI probation conditions or a combination of confinement and restrictive DUI probation conditions to satisfy the mandatory minimum requirement as provided by law.

§ 303a.4. Prior record score.

(a) *General provisions.*

(1) The prior record score (PRS) is a measure of a person's criminal history, reflecting the number and seriousness of certain previous juvenile adjudications and adult convictions. The PRS addresses the greater culpability and risk to reoffend of repeat offenders. There are five PRS categories (PRS 0—PRS 4).

(2) The PRS is determined by identifying the most serious offense for which a person was adjudicated or convicted prior to the commission of the current offense, and then considering the number of previous adjudications or convictions of equal seriousness.

(3) Prior offense groups (POG) distinguish the seriousness of previous adjudications and convictions and are defined in paragraph (b). Certain previous adjudication and conviction offenses may be removed from consideration in the prior offense groups following prescribed periods of decay or gap, as described in paragraph (c).

(b) *Procedure for identifying previous offenses.*

(1) Identify prior offenses for which the person was adjudicated delinquent or convicted prior to the date of the current offense. The prosecution has the burden of proof in determining previous adjudications and convictions based on a preponderance of the evidence.

(2) Juvenile adjudications—consider the most serious offense for which the person was adjudicated delinquent from each disposition hearing that meets the following criteria:

(i) person 16 years of age or older at the time of the offense.

(ii) There was an express finding by the juvenile court that the adjudication was for a felony or a misdemeanor of the first degree (exclude consideration of all lesser offenses).

(3) Adult convictions (including juvenile transfers)—consider every offense for which the person was convicted. For former Pennsylvania offenses and out-of-state offenses:

(i) Determine the current equivalent Pennsylvania offense.

(ii) Determine the current equivalent grade of this offense.

(4) Excluded prior offenses.

(i) Exclude prior adjudications or convictions for offenses that contribute to an increase in the grade or maximum penalty of a subsequent adjudication or conviction. Prior DUI convictions shall not be considered in determining the PRS for any DUI sentence recommendation.

(ii) Exclude lapsed previous adjudication and conviction offenses as set forth in paragraph (d).

(5) Determine the seriousness of previous adjudications and convictions based on the following groups:

(i) POG1 includes all misdemeanors, unless designated as serious crimes.

(ii) POG2 includes all felonies of the third degree and all unclassified felonies, unless designated as serious crimes.

(iii) POG3 includes all serious crimes, defined as:

(A) All felonies of the first and second degree, unless designated as crimes of violence.

(B) All felonies of the third degree and misdemeanors of the first degree if:

(I) 18 Pa.C.S. Article B (Chapters 25—32)

(II) 18 Pa.C.S. Chapter 61-A (Uniform Firearms Act)

(III) 42 Pa.C.S. § 9799.14 (sexual offenses)

(iv) POG4 includes all crimes of violence (42 Pa.C.S. § 9714(g)).

(c) *Lapsing of previous offenses.*

(1) Exclude prior adjudications or convictions for offenses as set forth below. The burden of proof is on the person, based on a preponderance of the evidence.

(2) *Juvenile adjudications:*

(i) At 21 years of age (decay), remove prior adjudications for misdemeanor offenses (POG1), unless designated as a serious crime.

(ii) At 25 years of age (decay), remove prior adjudications for felony offenses (POG2), unless designated as a serious crime or crime of violence.

(iii) Following completion of a 10-year crime-free period since the last adjudication or conviction (gap), remove prior adjudications for misdemeanor and felony offenses (POG3), unless designated a crime of violence.

(iv) Following completion of a 15-year crime-free period since the last adjudication or conviction (gap), remove prior adjudications for offenses (POG4) designated crimes of violence.

(3) *Adult convictions:*

(i) Following completion of 15 years since the conviction date of the offense (decay), remove prior convictions for misdemeanor offenses (POG1), unless designated a serious crime.

(ii) Following completion of a 15-year crime-free period since release from confinement (gap), remove prior convictions for misdemeanor or felony offenses (POG2, POG3), unless designated a crime of violence.

(iii) Following completion of a 25-year crime-free period since release from confinement (gap), remove prior convictions for offenses (POG4) designated crimes of violence.

(d) *Procedure for determining the prior record score category.*

(1) Based on the offenses identified and excluding those removed through lapsing, select the prior offense group based on the most serious prior adjudication or conviction offense. Next, count the number of prior adjudication or conviction offenses contained in that prior offense group.

(2) Determine the PRS category based on the prior offense group and number of previous adjudications and convictions in the group, as provided in Table E:

(i) *PRS 4 (REVOC)*. The category includes sentence recommendations that include the statutory limit at Level D and higher, with the category defined by two or more previous crimes of violence.

(ii) *PRS 3*. The category includes sentence recommendations of confinement that are generally no more than double the base recommendation, with the category defined by:

(A) One previous crime of violence; or

(B) Two or more previous serious crimes; or

(C) Three or more previous felonies (excluding crimes of violence and serious crimes).

(iii) *PRS 2*. The category is defined by:

(A) One previous serious offense; or

(B) No more than two previous felonies (excluding crimes of violence and serious crimes); or

(C) Three or more previous misdemeanors (excluding serious crimes).

(iv) *PRS 1*. The category is defined by:

(A) No more than two previous misdemeanors (excluding serious crimes).

(v) *PRS 0*. The category includes sentence recommendations that serve as the base recommendations, with the category defined by:

(A) No previous adjudications or convictions; or

(B) Previous adjudications or convictions that have lapsed.

(e) *Miscellaneous provisions.*

(1) *Adequacy of prior record score.* The court may consider at the time of sentencing prior adjudications or convictions not counted in the calculation of the PRS, including lapsed offenses, and other factors deemed appropriate by the court.

(2) When a previous adjudication or conviction offense was committed over a range of dates, the later date shall be used to determine if the prior offense meets the criteria in paragraph (b)(1) for determining the PRS.

(3) Unless otherwise provided, the classification of a previous adjudication or conviction for an inchoate offense or an offense with classification associated with an associated or underlying offense is used to determine the prior offense group.

(4) When a previous adjudication or conviction offense was misclassified, the classification of the current equivalent Pennsylvania offense is used to determine the prior offense group.

(5) *Former Pennsylvania offenses.*

(i) For a previous adjudication or conviction offense under a former Pennsylvania law, the classification of the current equivalent Pennsylvania offense is used to determine the prior offense group.

(ii) *Incomplete information.*

(A) When there is no current equivalent Pennsylvania offense, the classification of the previous adjudication or conviction offense is used to determine the prior offense group.

(B) When the previous adjudication or conviction offense was a felony, but the grade of the felony is unknown, it shall be treated as a felony of the third degree. When the previous adjudication or conviction offense was for a misdemeanor, but the grade of the misdemeanor is unknown, it shall be treated as a misdemeanor of the third degree.

(C) When the classification of the previous adjudication or conviction offense cannot be determined, it shall be treated as a misdemeanor of the third degree.

(D) When the previous adjudication or conviction is for an offense which includes a summary classification, and the classification of the previous adjudication or conviction offense is unknown, it shall not be included in the PRS.

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

(i) For a previous adjudication or conviction for an out-of-state, federal, or foreign offense, the classification of the current equivalent Pennsylvania offense is used to determine the prior offense group.

(ii) For a court-martial for a criminal offense under the Uniform Code of Military Justice, which is considered a federal conviction, the classification of the current equivalent Pennsylvania offense is used to determine the prior offense group.

(iii) Non-judicial punishments or administrative actions (e.g., Article 15, Article 134) which are not convictions shall not be included in the PRS.

(iv) When there is no current equivalent Pennsylvania offense, the classification of the previous adjudication or conviction offense based on the maximum sentence permitted is used to determine the prior offense group.

(7) *Excluded offenses, charges, and convictions.* The following types of offenses, charges, and convictions shall not be scored in the PRS:

(i) 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 Chapter 3 (relating to accelerated rehabilitative disposition), 35 P.S. § 780-117 or 35 P.S. § 780-118.

(ii) A charge which is nolle prosequi, dismissed, or on which a demurrer is sustained.

(iii) Any prior conviction which contributed to an increase in the grade of a subsequent conviction.

§ 303a.5. Guideline sentence recommendation.(a) *General provisions.*

(1) In writing the sentencing guidelines, the Commission strives to provide a benchmark for the judges of Pennsylvania. The guidelines serve as a common starting point at sentencing, with a standard range of recommendations for the typical circumstances, based on the seriousness of the conviction offense and the consideration of relevant criminal history and criminal behavior of the person. As required by statute, aggravated and mitigated ranges are included to support the exercise of discretion when other circumstances are present, and adjustments to the guidelines are incorporated to address factors that may increase or decrease risk to public safety.

(2) Through the establishment of sentencing levels, the sentencing guidelines are anchored to the purposes of sentencing and to the authorized dispositions provided in statute. Within these levels, a specific guideline sentence recommendation is provided for each conviction offense, based on the combination of OGS and PRS, intended to promote uniformity and proportionality. General guideline sentence recommendations are provided for the aggregation of multiple sentences imposed during judicial proceedings, intended to promote greater consistency in the use of concurrent or consecutive sentences, and to encourage the consideration of various sentencing and correctional programs. "The guidelines were designed to bring greater rationality and consistency to sentences and to eliminate unwarranted disparity in sentencing." *Commonwealth v. Mouzon*, 812 A.2d 617 (Pa., 2002).

(3) While courts are required to consider the recommendations, Pennsylvania's sentencing guidelines are advisory, and courts are required to individualize sentences. "Guidelines serve the laudatory role of aiding and enhancing the judicial exercise of judgement regarding case-specific sentencing. Guidelines may help frame the 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, rather than require a particular sentence." *Commonwealth v. Walls* (926 A.2d 957) (Pa., 2007).

(b) *Purposes of sentencing.*

(1) As provided in the Model Penal Code: Sentencing (Model Penal Code § 1.02(2)), the general purposes in decisions affecting the sentencing of persons include:

(i) To render sentences in all cases within a range of severity proportionate to the gravity of offenses, the harm done to victims, and the blameworthiness of persons; and

(ii) When reasonably feasible, to achieve person rehabilitation, general deterrence, incapacitation of dangerous persons, restitution to crimes victims, preservation of

families, and reintegration of persons into the law-abiding community, provided these goals are pursued within the boundaries of proportionality.

(2) The sentencing guidelines provide a system with a primary focus on retribution, but one which allows for the fulfillment of other utilitarian sentencing purposes, including person rehabilitation, general deterrence, incapacitation to protect the public, and victim restoration.

(3) While the 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:

(i) Mandatory minimum sentencing provisions, which when applicable supersede the sentencing guidelines recommendations.

(ii) Diagnostic evaluations of dependency on alcohol and other drugs and clinically prescribed treatment.

(iii) 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.

(c) *Sentencing levels and standard range recommendations.*

(1) Eight sentencing levels are associated with recommended dispositions and durations, to allow for more consistent consideration of the authorized sentencing alternatives, and to address mandates related to the adoption of guidelines for probation, the use of restrictive conditions, and fines and community service. This also allows for the consideration of the risk and needs of the person, and for the use of sentencing and correctional programs.

(i) The sentencing levels increase in severity from restorative sanctions (Level A) to total confinement in a state facility (Level D through Level H, depending on the duration of the recommendation).

(ii) Consistent with retribution as the primary purpose of the guidelines, the increases in the severity of the recommendations are proportionate with increases in the seriousness of the offenses and the extent of the criminal history. The sentencing levels provide a rational basis for the consideration of both retributive and utilitarian purposes of sentencing.

(2) *Standard range recommendations*

(i) Standard range recommendations, based on each combination of the OGS, assigned pursuant to § 303a.3, and the PRS, determined pursuant to § 303a.4, are provided in the Sentencing Matrix, located at § 303a.8. The standard range serves as a common starting point for sentencing and includes sentence recommendations that apply to typical circumstances.

(ii) The standard range include specific recommendations, consistent with the sentencing level, that address the disposition and duration of a sentence, as well as the intensity of community supervision and the consideration of sentencing programs and are intended to promote uniformity and proportionality of sentencing.

(iii) When the guideline sentence recommendation exceeds that permitted by 18 Pa.C.S. § 1103 (relating to sentence of imprisonment for felony) and § 1104 (relating to sentence of imprisonment for misdemeanors), the guideline sentence recommendation is capped at the statutory limit. For the purposes of the guidelines, the

statutory limit is the longest legal minimum sentence, which is one-half the maximum period allowed by law.

(iv) Treatment alternatives, including medically assisted treatment and behavioral therapies when clinically appropriate, may be considered to address substance use or behavioral health issues. The specialized jurisdiction of problem-solving courts, as authorized by 42 Pa.C.S. § 916 (relating to problem-solving courts), provide an avenue for the use of court-supervised individualized treatment programs and services. Other treatment programs, such as those described in § 303a.1(d) (relating to preliminary provisions), may be considered:

(A) Probation with restrictive conditions, including the use of the use of clinically prescribed treatment, may be considered for eligible persons in lieu of recommendations for confinement in a county facility.

(B) Restrictive DUI probation conditions may be used to satisfy the mandatory minimum sentencing requirements for eligible persons.

(C) Persons committed to the Department may be recommended or made eligible by the Court for certain correctional programs, including the state motivational boot camp program and the state drug treatment program.

(3) The sentencing levels and related standard range recommendations are described below:

(i) Level A, generally limited to restorative sanctions recommendations.

(A) The guidelines encourage consideration of the use of restorative sanctions, including community service, economic sanctions, or other authorized sanctions not requiring probation or confinement. The use of restorative sanctions at this level, with a focus on reparations and restorative justice, supports the utilitarian purpose of restoration.

(B) Restorative sanctions recommendations may be satisfied by the following:

(I) Guilt without further penalty when the court determines probation would be appropriate but unnecessary.

(II) A fine, within the limits provided by law, or any amount equal to double the pecuniary gain derived from the offense by the person, or the use of community service as a non-monetary alternative, may be ordered as a restorative sanction without probation or confinement. The fines/community service guidelines, included with each guideline sentence recommendation, provide a range of recommended community service hours; the comparable fine is determined by multiplying the number of hours recommended by the person's hourly wage, or by the current minimum wage.

(III) Restitution as a mandatory requirement. The court is required to order the person to compensate the victim for damage or injury sustained because of the offense. Restitution as a restorative sanction may be ordered without probation or confinement.

(IV) Costs as a mandatory requirement. The court is required to order the person to pay costs. Costs as a restorative sanction may be ordered without probation or confinement.

(V) Probation in limited circumstances as necessary to fulfill court-ordered obligations.

(ii) Level B, limited to probation recommendations.

(A) The guidelines encourage consideration of the use of probation to provide community supervision with the

minimal control necessary to fulfill court-ordered obligations. The use of probation at this level, with consideration of restorative sanctions, supports the utilitarian purposes of rehabilitation and restoration.

(B) Probation recommendations include:

(I) The use of probation, not to exceed two years and as provided, with general conditions; and the consideration of fines/community service or other restorative sanctions as general conditions of probation.

(II) The use of probation, not to exceed two years and as designated, with restrictive conditions for a period less than three months and as designated (RC) for persons with greater criminal history, to increase the intensity of supervision and services; and the consideration of fines/community service or other restorative sanctions as general conditions of probation.

(iii) Level C, limited to confinement in a county facility, while providing for the use of probation with restrictive conditions as an alternative when eligible and appropriate.

(A) The guidelines encourage the consideration of confinement in a county facility, or an equivalent period of restrictive conditions of probation, with the court retaining jurisdiction of the case. The use of county confinement with the court authorized to consider county programs and county parole, or in the alternative, the court having the discretion to use probation with restrictive conditions to provide community supervision and/or treatment, supports multiple utilitarian purposes including deterrence, rehabilitation, and restoration.

(B) Confinement recommendations include:

(I) The use of confinement consistent with the protection of the public, the gravity of the offense as it relates to the impact on the life of the victim and on the community, and the rehabilitative needs of the person.

(II) The use of confinement in a county facility, with a minimum term less than 12 months and as designated, and a maximum term of less than 24 months; with the court authorized to consider a county reentry program or partial release program as provided in § 303a.1(d), and county parole pursuant to 42 Pa.C.S. § 9776 (relating to judicial power to release inmates).

(III) Unless otherwise designated, the range of months in the standard range refers to the recommended minimum term of confinement.

(C) Probation with restrictive conditions recommendations include:

(I) Consideration of the eligibility requirements, as provided in § 303a.1(d), for the use of county intermediate punishment programs as restrictive conditions of probation.

(II) The use of probation, not to exceed two years and as designated, with restrictive conditions for a period less than 12 months and as designated (RC) for persons with greater criminal history, to increase the intensity of supervision and services; and the consideration of fines/community service or other restorative sanctions as general conditions of probation.

(III) Unless otherwise designated, the range of months in the standard range refers to the recommended period of restrictive conditions.

(iv) Level D, while recommending confinement in a state facility, provides for confinement in a county facility

when authorized by statute or the use of probation with restrictive conditions when eligible and appropriate.

(A) The guidelines encourage the consideration of confinement in a state facility with consideration of certain correctional programs; or if authorized by statute, confinement in a county facility, with the court authorized to consider county programs and county parole; or the use of probation with restrictive conditions as an alternative to or in combination with confinement in a county facility to provide community supervision and/or treatment. The use of confinement, with consideration of sentencing and correctional programs, supports multiple utilitarian purposes including incapacitation, deterrence, rehabilitation, and restoration.

(B) Confinement recommendations include:

(I) The use of confinement consistent with the protection of the public, the gravity of the offense as it relates to the impact on the life of the victim and on the community, and the rehabilitative needs of the person.

(II) The use of confinement in a state facility, with a minimum term of 12 months or more but less than 30 months and as provided in 42 Pa.C.S. § 9762 (relating to sentencing proceeding; place of confinement), and a maximum term of less than 60 months; with the court authorized to determine the eligibility and appropriateness of specified Department programs as provided in § 303a.1(d); and with parole authority under the jurisdiction of the Board pursuant to 61 Pa.C.S. § 6132 (relating to specific powers of board involving offenders).

(III) The use of confinement in a county facility, with a minimum term of 12 months or more but less than 30 months and as provided in 42 Pa.C.S. § 9762 (relating to sentencing proceeding; place of confinement), and a maximum term of less than 60 months; with the court authorized to consider a county reentry program or partial release program as provided in § 303a.1(d), and county parole pursuant to 42 Pa.C.S. § 9776 (relating to judicial power to release inmates).

(IV) Unless otherwise designated, the range of months in the standard range refers to the recommended minimum term of confinement.

(C) Probation with restrictive conditions recommendations include:

(I) Consideration of the eligibility requirements, as provided in § 303a.1(d), for the use of county intermediate punishment programs as restrictive conditions of probation.

(II) The use of probation, not to exceed two years, with restrictive conditions for a period of 12 months or less and as designated (RC); and the consideration of fines/community service or other restorative sanctions as general conditions of probation.

(III) Unless otherwise designated, the range of months in the standard range refers to the recommended period of restrictive conditions.

(v) Level E, limited to confinement in a state facility.

(A) The guidelines encourage the consideration of confinement in a state facility with consideration of certain correctional programs. While rehabilitation and restoration are under consideration at all levels, the primary utilitarian purposes of confinement at Level E are incapacitation and deterrence.

(B) Confinement recommendations include:

(I) The use of confinement consistent with the protection of the public, the gravity of the offense as it relates to the impact on the life of the victim and on the community, and the rehabilitative needs of the person.

(II) The use of confinement in a state facility, with a minimum term of 30 months or more recommended, including consideration of the statutory limit for repeat violent offenders (REVOC), with the maximum term at least double the minimum term as provided in 42 Pa.C.S. § 9756 (relating to sentence of total confinement); with the court authorized to determine the eligibility and appropriateness of specified Department programs as provided in § 303a.1(d); and with parole authority under the jurisdiction of the Board pursuant to 61 Pa.C.S. § 6132 (relating to specific powers of board involving offenders).

(III) Unless otherwise designated, the range of months in the standard range refers to the recommended minimum term of confinement.

(vi) Level F, limited to confinement in a state facility for offenses with a statutory maximum greater than 20 years.

(A) The guidelines encourage the consideration of confinement in a state facility with consideration of certain correctional programs. While rehabilitation and restoration are under consideration at all levels, the primary utilitarian purposes of confinement at Level F are incapacitation and deterrence.

(B) Confinement recommendations include:

(I) The use of confinement consistent with the protection of the public, the gravity of the offense as it relates to the impact on the life of the victim and on the community, and the rehabilitative needs of the person.

(II) The use of confinement in a state facility, with a minimum term of 90 months or more recommended, including consideration of the statutory limit for repeat violent offenders (REVOC), with a maximum term at least double the minimum term as provided in 42 Pa.C.S. § 9756 (relating to sentence of total confinement); with the court authorized to determine the eligibility and appropriateness of specified Department programs as provided in § 303a.1(d); and with parole authority under the jurisdiction of the Board pursuant to 61 Pa.C.S. § 6132 (relating to specific powers of board involving offenders).

(III) Unless otherwise designated, the range of months in the standard range refers to the recommended minimum term of confinement.

(vii) Level G, limited to confinement in a state facility for the offense of murder of the third degree, which has a statutory maximum of 40 years.

(A) The guidelines encourage the consideration of confinement in a state facility with consideration of certain correctional programs. While rehabilitation and restoration are under consideration at all levels, the primary utilitarian purposes of confinement at Level G are incapacitation and deterrence.

(B) Confinement recommendations include:

(I) The use of confinement consistent with the protection of the public, the gravity of the offense as it relates to the impact on the life of the victim and on the community, and the rehabilitative needs of the person.

(II) The use of confinement in a state facility, with a minimum term standard range recommendation of no less than 72 months and including the statutory limit of 240 months; with a maximum term at least double the minimum term as provided in 42 Pa.C.S. § 9756 (relating to sentence of total confinement); with the court authorized to determine the eligibility and appropriateness of specified Department programs as provided in § 303a.1(d); and with parole authority under the jurisdiction of the Board pursuant to 61 Pa.C.S. § 6132 (relating to specific powers of board involving offenders).

(III) Because of the wide range of circumstances contributing to convictions for murder of the third degree, the Commission has provided an extraordinarily wide standard range for consideration by the court, with a lower limit of 72 months and an upper limit of 240 months, which is the statutory limit. An enhancement, which increases the lower limit to 90 months, applies when the victim is less than 13 years of age. In order to refine future guidelines and promote greater proportionality and uniformity in sentencing, the Commission requires the court to report reasons for all sentences imposed for murder of the third degree.

(IV) Unless otherwise designated, the range of months in the standard range refers to the recommended minimum term of confinement.

(viii) Level H, limited to confinement in a state facility for the offenses of murder of the first degree and murder of the second degree.

(A) Level H includes convictions for which the penalty is the same as the penalty for murder of the first degree or murder of the second degree, including but not limited to:

(I) 18 Pa.C.S. § 2507 (relating to criminal homicide of law enforcement officer).

(II) 18 Pa.C.S. § 2604 (relating to murder of unborn child).

(III) 18 Pa.C.S. § 2716 (relating to weapons of mass destruction).

(IV) 18 Pa.C.S. § 3301 (relating to arson and related offenses).

(B) Three age categories apply: (A) persons 18 years of age or older at the time of the offense; (B) persons 15 years of age or older but less than 18 years of age at the time of the offense; and (C) persons 10 years of age or older but less than 15 years of age at the time of the offense.

(C) If person is under 18 years of age at the time of the offense and the conviction occurred after June 24, 2012, the court shall consider the recommendations provided in Level H. 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).

(D) The statute requires confinement in a state facility, and the mandatory minimum requirements provide the lower limit of the recommendations in Level H, with recommendations increasing based on criminal history. While rehabilitation and restoration are under consideration at all levels, the primary utilitarian purposes of confinement at Level H are incapacitation and deterrence.

(E) Confinement recommendations include:

(I) The use of confinement consistent with the protection of the public, the gravity of the offense as it relates to the impact on the life of the victim and on the community, and the rehabilitative needs of the person.

(II) The use of confinement in a state facility, for those under 18 years of age at the time of the offense, considers the mandatory minimum sentencing requirements and criminal history in determining the minimum sentence recommendation. The maximum sentence authorized by statute is life, including life without the possibility of parole (LWOP), but excluding the death penalty. When sentenced to a minimum term of less than LWOP, parole authority is under the jurisdiction of the Board pursuant to 61 Pa.C.S. § 6132 (relating to specific powers of board involving offenders).

(III) The use of confinement in a state facility, for those 18 years of age or older at the time of the offense, penalties are limited to LWOP or death.

(F) Unless otherwise designated, the range of months in the standard range refers to the recommended minimum term of confinement.

§ 303a.6. Aggravated and mitigated circumstances.

(a) *Aggravated and mitigated ranges.* As required by 42 Pa.C.S. § 2154(b)(4) (relating to adoption of guidelines for sentencing), the sentencing guidelines provide aggravated and mitigated ranges as variations from the standard range on account of aggravating and mitigating circumstances.

(b) *Aggravated ranges.* When the court determines that aggravating circumstances are present, the court may consider the aggravated range of the sentencing guidelines. The aggravated range is determined by adding the designated number of months listed on the Sentencing Matrix (AGG/MIT column) to the top of the standard range recommendation as follows:

(1) At Level A, the aggravated range is determined by adding three months of probation to the top of the standard range recommendation. When the top of the standard range recommendation is RS, the aggravated range recommendation is a period of probation up to and including three months of probation; when the top of the standard range recommendation is 6 months of probation, the aggravated range recommendation is any period of probation greater than six months up to and including nine months of probation.

(2) At Level B, the aggravated range is determined by adding six months of probation to the standard range recommendation. When the standard range recommendation is 6 months of probation, the aggravated range recommendation is a period of probation greater than six months up to and including twelve months of probation; when the standard range recommendation is 24 months of probation, the aggravated range recommendation is any period of probation greater than 24 months up to and including 30 months of probation. The use of confinement, or the use of restrictive conditions for a period longer than designated in the standard range recommendation, is a departure from the guidelines.

(3) At Level C through Level H, the aggravated range recommendation is determined by adding the number of months designated below to the top of the standard range recommendations:

- (i) Level C = 3 months.
- (ii) Level D = 4 months.
- (iii) Level E = 6 months.
- (iv) Level F = 12 months.
- (v) Level G = 12 months.
- (vi) Level H = 24 months.

(4) As an example, when the top of the standard range recommendation is a minimum term of confinement of four months (Level C), the aggravated range recommendation is a minimum term of confinement of greater than four months up to and including a minimum term of confinement of seven months; when the top of the standard range recommendation is a minimum term of confinement of 60 months (Level E), the aggravated range recommendation is a minimum term of confinement of greater than 60 months up to and including a minimum term of confinement of 66 months.

(5) When the guideline sentence recommendation is higher than the statutory limit, the statutory limit shall be the upper limit of the aggravated range.

(c) *Mitigated ranges.* When the court determines that mitigating circumstances are present, the court may consider the mitigated range of the sentencing guidelines. The mitigated range is determined by subtracting the designated number of months listed on the Sentencing Matrix (AGG/MIT column) from the bottom of the standard range recommendation as follows:

(1) At Level A, the mitigated range is determined by subtracting three months of probation from the bottom of the standard range recommendation. There is no mitigated range at Level A, since the bottom of the standard range is restorative sanctions, which excludes probation.

(2) At Level B, the mitigated range is determined by subtracting six months of probation from the standard range recommendation. When the standard range recommendation is 6 months of probation or less, the mitigated range recommendation is RS (restorative sanctions); when the standard range recommendation is 24 months of probation, the mitigated range recommendation is any period of probation of 18 months or greater but less than 24 months of probation. The recommended duration of restrictive conditions is reduced by one month.

(3) At Level C through Level H, the mitigated range recommendation is determined by subtracting the number of months designated below from the bottom of the standard range recommendations:

- (i) Level C = 3 months.
- (ii) Level D = 4 months.
- (iii) Level E = 6 months.
- (iv) Level F = 12 months.
- (v) Level G = 12 months.
- (vi) Level H = 24 months.

(4) As an example, when the bottom of the standard range recommendation is a minimum term of confinement of three months or less (Level C), the mitigated range recommendation is RS (restorative sanctions); when the bottom of the standard range recommendation is a minimum term of confinement of 60 months (Level E), the mitigated range recommendation is a minimum term of confinement of 54 months or greater but less than 60 months.

(5) When the guideline sentence recommendation is lower than the sentence required by a mandatory sentencing statute, the mandatory minimum sentence shall be the lower limit of the mitigated range.

(d) *Departures from the guidelines.* Any sentence imposed with a disposition or duration more severe than the aggravated range recommendation is considered a departure above the guidelines. Any sentence imposed with a disposition or duration less severe than the mitigated

range recommendation is considered a departure below the guidelines. Any sentence imposed without consideration of applicable guideline requirements, such as completion of a diagnostic assessment for use of certain restrictive conditions of probation, is considered a procedural departure.

(e) *Reasons for sentence.*

(1) When the court imposes a sentence for murder of the third degree, or imposes a sentence in the aggravated or mitigated range, or departs from the sentencing guidelines, it shall consider and state on the record a reason or reasons for the sentence, including but not limited to the following:

- (i) Nature and circumstances of the offense:
 - (A) Neither caused nor threatened serious harm.
 - (B) Conduct substantially influenced by another person.
 - (C) Acted under strong provocation.
 - (D) Substantial grounds to justify conduct.
 - (E) Role in offense.
 - (F) Purity of controlled substance.
 - (G) Abuse of position of trust.
 - (H) Vulnerability of victim.
 - (I) Temporal pattern.
 - (J) Offense pattern.
- (ii) History and character of the person:
 - (A) No history of criminal conduct.
 - (B) Substantial period of law abiding behavior.
 - (C) Circumstances unlikely to recur.
 - (D) Likely to respond affirmatively to probation.
 - (E) Imprisonment would entail excessive hardship.
 - (F) Accepts responsibility.
 - (G) Provides substantial assistance.
 - (H) Compensated victim or community.
 - (I) Character and attitude.

(2) Unless otherwise prohibited by statute, the consideration of validated assessments of risk, needs and responsivity, or clinical evaluations may be considered to guide decisions related to the intensity of intervention, use of restrictive conditions, and duration of community supervision.

(3) 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 PRS, in addition to other factors deemed appropriate by the court.

(f) *Reporting of reasons.* When the court imposes a sentence for murder of the third degree, or imposes an aggravated or mitigated sentence, or departs from the guidelines, the court shall include the reasons on the guideline sentence form, and electronically transmit the information to the Commission in the manner described § 303a.2.

§ 303a.7. Judicial proceeding recommendations.

(a) *General guideline sentence recommendations.* General guideline sentence recommendations are provided to address the imposition of multiple sentences during a judicial proceeding to promote greater consistency in the

use of concurrent or consecutive sentences, and to encourage the consideration of various sentencing and correctional programs.

(b) *Concurrent and consecutive sentences.* As provided in 42 Pa.C.S. § 9721(a) (relating to sentencing generally), the court may impose one or more sentencing alternatives consecutively or concurrently. When a judicial proceeding includes sentences for multiple convictions, the guidelines encourage the consideration of imposing concurrent sentences for lesser conviction offenses within the same criminal incident. Exceptions include:

- (1) Sentences for crimes of violence.
- (2) Consecutive sentences are required by law, including but not limited to:
 - (i) 18 Pa.C.S. § 2703(b) (relating to assault by prisoner).
 - (ii) 42 Pa.C.S. § 9711.1(c) (relating to sentencing for certain murders of infant persons).
 - (iii) 42 Pa.C.S. § 9718.5 (relating to mandatory period of probation for certain sexual offenders).
 - (iv) 61 Pa.C.S. § 6137.2 (relating to reentry supervision).
 - (v) 75 Pa.C.S. § 3735 (relating to homicide by vehicle while driving under the influence).
 - (vi) 75 Pa.C.S. § 3804(c.2) and (c.3) (relating to penalties for driving under the influence).

(3) Proceedings in which there are multiple crime victims.

(c) *Consecutive sentences of total confinement.* As provided in 42 Pa.C.S. § 9757 (relating to consecutive sentences of total confinement for multiple offenses), when the Court determines that a sentence should be imposed consecutive to one being then imposed or one previously imposed, the Court shall indicate the minimum sentence to be served for the total of all offenses; the minimum sentence shall not exceed one-half of the maximum sentence imposed. For purposes of the guidelines, the total confinement sentence imposed during the judicial proceeding shall be considered the aggregate confinement sentence.

(d) *Consideration of sentencing and correctional programs.* When the aggregate confinement sentence authorizes the use of a county facility, the guidelines encourage consideration of a county reentry program or partial release program as provided in § 303a.1(d) (relating to preliminary provisions), and county parole pursuant to 42 Pa.C.S. § 9776 (relating to judicial power to release inmates). When the aggregate confinement sentence authorizes the use of a state facility, the guidelines encourage the court to determine the eligibility and appropriateness of the specified Department programs provided in § 303a.1(d); parole authority in such cases is under the jurisdiction of the Board pursuant to 61 Pa.C.S. § 6132 (relating to specific powers of board involving offenders).

(e) *Consecutive sentences of probation.* Unless otherwise provided, the guidelines recommend the duration of the aggregate term of probation imposed during a judicial proceeding not exceed five years; and that the duration of the restrictive conditions of probation, or a combination of confinement without parole, as provided in 42 Pa.C.S. §§ 9755(h) (relating to sentence of partial confinement) and 9756(c.1) (relating to sentence of total), and restrictive conditions of probation, not exceed the months of confinement recommended in the guidelines.

§ 303a.8. Sentencing matrix.

		Prior Record Score					(AGG/MII) (+/-)	
		0	1	2	3	4 (REVOC)		
H	State Confinement (Murder 1, Murder 2)	H-6	LWOP or Death	LWOP or Death	LWOP or Death	LWOP or Death	LWOP or Death	Level H 24 months
		H-5	LWOP	LWOP	LWOP	LWOP	LWOP	
		H-4	420	420-480	480-540	540-600	660-SL	
		H-3	360	360-420	420-480	480-540	600-SL	
		H-2	300	300-360	360-420	420-480	540-SL	
		H-1	240	240-300	300-360	360-420	480-SL	
G	State Confinement (Murder 3)	G-2	90-240	114-240	138-240	162-240	186-240	Level G 12 months
		G-1	72-240	84-240	96-240	108-240	120-240	
F	State Confinement (Max >20 years)	30	162-186	186-210	210-234	234-258	258-SL	Level F 12 months
		29	138-162	162-186	186-210	210-234	234-SL	
		28	114-138	138-162	162-186	186-210	210-SL	
		27	90-114	114-138	138-162	162-186	186-SL	
E	State Confinement	26	84-96	96-108	108-120	120-132	132-SL	Level E 6 months
		25	78-90	90-102	102-114	114-126	126-SL	
		24	72-84	84-96	96-108	108-120	120-SL	
		23	66-78	78-90	90-102	102-114	114-SL	
		22 (F-1+ OMNI)	60-72	72-84	84-96	96-108	108-SL	
		21	54-66	66-78	78-90	90-102	102-SL	
		20	48-60	60-72	72-84	84-96	96-SL	
		19	42-54	54-66	66-78	78-90	90-SL	
		18	36-48	48-60	60-72	72-84	84-SL	
		17	30-42	42-54	54-66	66-78	78-SL	
D	State Confinement (County Confinement Exception)	16	24-<30	30-42	36-48	48-60	60-SL	
		15	20-26	24-<30	30-42	36-48	48-SL	
		14 (F-1 OMNI)	16-22	20-26	24-<30	30-42	42-SL	
		13	12-18	16-22	20-26	24-<30	30-SL	
C	County Confinement	12	9 - <12 (RC)	12-18	16-22	20-26	24-SL	Level D 4 months
		11 (F-2 OMNI)	7 - 10 (RC)	8 - 11 (RC)	12-18	16-22	20-SL	
		10	5 - 8 (RC)	6 - 9 (RC)	7 - 10 (RC)	12-18	16-SL	
		9 (F-3 OMNI)	3 - 6 (RC)	4 - 7 (RC)	5 - 8 (RC)	6 - 9 (RC)	12-SL	
		8	1 - 4 (RC)	2 - 5 (RC)	3 - 6 (RC)	4 - 7 (RC)	5 - 8 (RC)	
B	Probation	7 (M-1 OMNI)	24 months Probation (175-200)	1 - 4 (RC)	2 - 5 (RC)	3 - 6 (RC)	4 - 7 (RC)	LEVEL C 3 months
		6	18 months Probation (150-175)	24 months Probation (175-200)	1 - 4 (RC)	2 - 5 (RC)	3 - 6 (RC)	
		5	12 months Probation (125-150)	18 months Probation (150-175)	24 months Probation 1-3 mos RC (175-200)	1 - 4 (RC)	2 - 5 (RC)	
		4 (M-2 OMNI)	6 months Probation (100-125)	12 months Probation (125-150)	18 months Probation 1-2 mos RC (150-175)	24 months Probation 1-3 mos RC (175-200)	1 - 4 (RC)	
A	Restorative Sanctions	3	RS (75-100)	RS - 6 mos. Probation (100-125)	12 months Probation 1 mo RC (125-150)	18 months Probation 1-2 mos RC (150-175)	24 months Probation 1-3 mos RC (175-200)	Level B 6 months Probation
		2 (M-3 OMNI)	RS (50-75)	RS (75-100)	RS - 6 mos. Probation (100-125)	12 months Probation 1 mo RC (125-150)	18 months Probation 1-2 mos RC (150-175)	
		1	RS (25-50)	RS (50-75)	RS (75-100)	RS - 6 mos. Probation (100-125)	12 months Probation 1 mo RC (125-150)	Level A 3 months Probation

Effective Date	Sentencing Guidelines Edition
07-22-1982	First Edition
06-03-1983	—Amendment 1
06-03-1986	—Amendment 2
06-05-1986	Second Edition
04-25-1988	Third Edition
08-09-1991	—Revised
12-20-1991	—Revised, Amendment 1
08-12-1994	Fourth Edition
06-13-1997	Fifth Edition
06-03-2005	Sixth Edition
12-05-2008	—Revised
12-28-2012	Seventh Edition
09-27-2013	—Amendment 1
09-26-2014	—Amendment 2
09-25-2015	—Amendment 3
01-01-2018	—Amendment 4
06-01-2018	—Amendment 4, Supplement
01-01-2020	—Amendment 5
01-01-2021	—Amendment 6
01-01-2024	Eighth Edition

TABLE B-1—OGS-POG Assignments, Title 18

<i>18 Pa.C.S. §</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Prior Offense Group (POG)</i>	<i>POG3 Article B and VUFA</i>	<i>Megan's Law</i>	<i>Crimes of Violence</i>	<i>Enhance</i>
PART I								
901	Criminal attempt (inchoate)	18 Pa.C.S. § 905	F-1 (-1)					
902	Criminal solicitation (inchoate)	18 Pa.C.S. § 905	F-1 (-1)					
903	Criminal conspiracy (inchoate)	18 Pa.C.S. § 905	F-1 (-1)					
907(a)	Possessing instruments of crime (criminal instruments)	M-1	7	POG1				
907(b)	Possessing instruments of crime (weapon)	M-1	7	POG1				
907(c)	Possessing instruments of crime (unlawful body armor)	F-3	9	POG2				
908(a)	Prohibited offensive weapons	M-1	6	POG1				
908.1(a)(1)	Use electric incapacitation device (intent to commit felony)	F-2	12	POG3				
908.1(a)(1)	Use electric incapacitation device (no intent to commit felony)	M-1	7	POG1				
908.1(a)(2)	Possess electric incapacitation device (intent to commit felony)	F-2	10	POG3				
908.1(a)(2)	Possess electric incapacitation device (no intent to commit felony)	M-1	6	POG1				
909(a)	Manufacture/etc.-master key for motor vehicle	M-1	7	POG1				
910(a)(1)(i)	Manufacture/etc.-device for theft of telecommunications (>50 devices)	F-2	12	POG3				
910(a)(1)(i)	Manufacture/etc.-device for theft of telecommunications (10-50 devices)	F-3	9	POG2				
910(a)(1)(i)	Manufacture/etc.-device for theft of telecommunications (1st off)	M-1	7	POG1				
910(a)(1)(i)	Manufacture/etc.-device for theft of telecommunications (2nd off)	F-3	9	POG2				
910(a)(1)(i)	Manufacture/etc.-device for theft of telecommunications (3rd/subseq. off)	F-2	13	POG3				
910(a)(1)(ii)	Manufacture/etc.-device to conceal telecommunications (>50 devices)	F-2	12	POG3				
910(a)(1)(ii)	Manufacture/etc.-device to conceal telecommunications (10-50 devices)	F-3	9	POG2				
910(a)(1)(ii)	Manufacture/etc.-device to conceal telecommunications (1st off)	M-1	7	POG1				

<i>18 Pa.C.S. §</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Prior Offense Group (POG)</i>	<i>POG3 Article B and VUFA</i>	<i>Megan's Law</i>	<i>Crimes of Violence</i>	<i>Enhance</i>
910(a)(1)(ii)	Manufacture/etc.-device to conceal telecommunications (2nd off)	F-3	9	POG2				
910(a)(1)(ii)	Manufacture/etc.-device to conceal telecommunications (3rd/subseq. off)	F-2	13	POG3				
910(a)(2)(i)	Sell/etc. unlawful telecommunications device (>50 devices)	F-2	12	POG3				
910(a)(2)(i)	Sell/etc. unlawful telecommunications device (10-50 devices)	F-3	9	POG2				
910(a)(2)(i)	Sell/etc. unlawful telecommunications device (1st off)	M-1	7	POG1				
910(a)(2)(i)	Sell/etc. unlawful telecommunications device (2nd off)	F-3	9	POG2				
910(a)(2)(i)	Sell/etc. unlawful telecommunications device (3rd/subseq. off)	F-2	13	POG3				
910(a)(2)(ii)	Sell/etc. material for unlawful telecommunications device (>50 devices)	F-2	12	POG3				
910(a)(2)(ii)	Sell/etc. material for unlawful telecommunications device (10-50 devices)	F-3	9	POG2				
910(a)(2)(ii)	Sell/etc. material for unlawful telecommunications device (1st off)	M-1	7	POG1				
910(a)(2)(ii)	Sell/etc. material for unlawful telecommunications device (2nd off)	F-3	9	POG2				
910(a)(2)(ii)	Sell/etc. material for unlawful telecommunications device (3rd/subseq.)	F-2	13	POG3				
911(b)(1)	Corrupt organizations	F-1	13	POG3				
911(b)(2)	Corrupt organizations-interest in/control of enterprise	F-1	13	POG3				
911(b)(3)	Corrupt organizations-employee participation	F-1	13	POG3				
911(b)(4)	Corrupt organizations-conspire	F-1	13	POG3				
912(b)	Possession of weapon on school property	M-1	7	POG1				
913(a)(1)	Possession of weapon in court facility	M-3	2	POG1				
913(a)(2)	Possession of weapon in court facility (intend for crime)	M-1	7	POG1				
PART II	ARTICLE A							
2102(a)(1)	Desecration of flag (marks or writing)	M-3	2	POG1				
2102(a)(2)	Desecration of flag (public view of defiled flag)	M-3	2	POG1				
2102(a)(3)	Desecration of flag (manufactures for advertisement)	M-3	2	POG1				
2102(a)(4)	Desecration of flag (defile/mutilate)	M-3	2	POG1				
2103	Insults to national or Commonwealth flag	M-2	3	POG1				

<i>18 Pa.C.S. §</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Prior Offense Group (POG)</i>	<i>POG3 Article B and VUFA</i>	<i>Megan's Law</i>	<i>Crimes of Violence</i>	<i>Enhance</i>
PART II	ARTICLE B							
2502 Inchoate	—Attempt/solicitation/conspiracy to Murder (SBI)	18 Pa.C.S. § 1102(c)	26	POG4			x	
2502 Inchoate	—Attempt/solicitation/conspiracy to Murder (No SBI)	18 Pa.C.S. § 1102(c)	24	POG4			x	
2502(a)	Murder-1st degree	Murder of 1st Degree	H-6	POG4			x	
2502(a)	Murder-1st degree (offender 15-<18 yrs.)	Murder of 1st Degree	H-4	POG4			x	
2502(a)	Murder-1st degree (offender <15 yrs.)	Murder of 1st Degree	H-2	POG4			x	
2502(b)	Murder-2nd degree	Murder of 2nd Degree	H-5	POG4			x	
2502(b)	Murder-2nd degree (offender 15-<18 yrs.)	Murder of 2nd Degree	H-3	POG4			x	
2502(b)	Murder-2nd degree (offender <15 yrs.)	Murder of 2nd Degree	H-1	POG4			x	
2502(c)	Murder-3rd degree	F-1	G-1	POG4			x	
2502(c)	Murder-3rd degree (victim <13 yrs.)	F-1	G-2	POG4			x	E
2503(a)(1)	Voluntary manslaughter (provocation from victim)	F-1	19	POG4			x	
2503(a)(2)	Voluntary manslaughter (provocation from another)	F-1	19	POG4			x	
2503(b)	Voluntary manslaughter (believe justified)	F-1	19	POG4			x	
2504(a)	Involuntary manslaughter (victim <12 yrs.)	F-2	13	POG3				
2504(a)*	Involuntary manslaughter (with DUI conviction)	M-1	12	POG3	Article B			
2504(a)*	Involuntary manslaughter (with BUI conviction)	M-1	12	POG3	Article B			
2504(a)*	Involuntary manslaughter	M-1	10	POG3	Article B			
2505(a)	Suicide, causing (as homicide/murder 1)	Murder of 1st Degree	H-6	POG4			x	
2505(a)	Suicide, causing (as homicide/murder 1) (offender 15-<18 yrs.)	Murder of 1st Degree	H-4	POG4			x	
2505(a)	Suicide, causing (as homicide/murder 1) (offender <15 yrs.)	Murder of 1st Degree	H-2	POG4			x	
2505(a)	Suicide, causing (as homicide/murder 2)	Murder of 2nd Degree	H-5	POG4			x	
2505(a)	Suicide, causing (as homicide/murder 2) (offender 15-<18 yrs.)	Murder of 2nd Degree	H-3	POG4			x	
2505(a)	Suicide, causing (as homicide/murder 2) (offender <15 yrs.)	Murder of 2nd Degree	H-1	POG4			x	
2505(a)	Suicide, causing (as homicide/murder 3)	F-1	G-1	POG4			x	

<i>18 Pa.C.S. §</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Prior Offense Group (POG)</i>	<i>POG3 Article B and VUFA</i>	<i>Megan's Law</i>	<i>Crimes of Violence</i>	<i>Enhance</i>
2505(a)	Suicide, causing (as homicide/murder 3) (<18/disability/autism)	F-1	G-2	POG4			x	E
2505(a)	Suicide, causing (as homicide/vol manslaughter)	F-1	19	POG4			x	
2505(a)	Suicide, causing (as homicide/vol. manslaughter) (<18/disability/autism)	F-1	20	POG4			x	E
2505(a)	Suicide, causing (as homicide/invol. manslaughter)	M-1	11	POG3	Article B			
2505(a)	Suicide, causing (as homicide/invol. manslaughter) (<18/disability/autism)	M-1	12	POG3	Article B			E
2505(a)	Suicide, causing (as homicide/invol. Manslaughter) (victim <12 yrs.)	F-2	13	POG3				
2505(a)	Suicide, causing (as homicide/invol. manslaughter) (victim <12 yrs.) (<18/disability/autism)	F-2	14	POG3				E
2505(a)	Suicide, causing (as homicide/invol. manslaughter) (w/ DUI or BUI conviction)	M-1	12	POG3	Article B			
2505(a)	Suicide, causing (as homicide/invol. manslaughter) (w/ DUI or BUI conviction) (<18/disability/autism)	M-1	13	POG3	Article B			E
2505(b)	Suicide, aiding or soliciting (positive result)	F-2	11	POG3				
2505(b)	Suicide, aiding or soliciting (positive result) (<18/disability/autism)	F-2	12	POG3				E
2505(b)	Suicide, aiding or soliciting (no result)	M-2	3	POG1				
2505(b)	Suicide, aiding or soliciting (no result) (<18/disability/autism)	M-2	4	POG1				E
2506(a)	Drug delivery resulting in death	F-1	22	POG4			x	
2507 Inchoate	—Attempt/solicitation/conspiracy to Murder of law enforcement officer (SBI)	18 Pa.C.S. § 1102(c)	26	POG4			x	
2507 Inchoate	—Attempt/solicitation/conspiracy to Murder of law enforcement officer (No SBI)	18 Pa.C.S. § 1102(c)	24	POG4			x	
2507(a)	Murder of law enforcement officer-1st degree	Murder of 1st Degree	H-6	POG4			x	
2507(a)	Murder of law enforcement officer-1st degree (offender 15-<18 yrs.)	Murder of 1st Degree	H-4	POG4			x	
2507(a)	Murder of law enforcement officer-1st degree (offender <15 yrs.)	Murder of 1st Degree	H-2	POG4			x	
2507(b)	Murder of law enforcement officer-2nd degree	Murder of 2nd Degree	H-5	POG4			x	
2507(b)	Murder of law enforcement officer-2nd degree (offender 15-<18 yrs.)	Murder of 2nd Degree	H-3	POG4			x	
2507(b)	Murder of law enforcement officer-2nd degree (offender <15 yrs.)	Murder of 2nd Degree	H-1	POG4			x	

<i>18 Pa.C.S. §</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Prior Offense Group (POG)</i>	<i>POG3 Article B and VUFA</i>	<i>Megan's Law</i>	<i>Crimes of Violence</i>	<i>Enhance</i>
2507(c)(1)(i)	Manslaughter of law enforcement officer (1st degree/provocation by victim)	F-1	20	POG4			x	
2507(c)(1)(ii)	Manslaughter of law enforcement officer (1st degree/provocation by another)	F-1	20	POG4			x	
2507(c)(2)	Manslaughter of law enforcement officer (1st degree/believe justified)	F-1	20	POG4			x	
2507(d)	Manslaughter of law enforcement officer (2nd degree)	F-2	14	POG4			x	
2604 Inchoate	—Attempt/solicitation/conspiracy to Murder of unborn child (SBI)	18 Pa.C.S. § 1102(c)	26	POG4			x	
2604 Inchoate	—Attempt/solicitation/conspiracy to Murder of unborn child (No SBI)	18 Pa.C.S. § 1102(c)	24	POG4			x	
2604(a)(1)	Murder of unborn child-1st degree	Murder of 1st Degree	H-6	POG4			x	
2604(a)(1)	Murder of unborn child-1st degree (offender 15-<18 yrs.)	Murder of 1st Degree	H-4	POG4			x	
2604(a)(1)	Murder of unborn child-1st degree (offender <15 yrs.)	Murder of 1st Degree	H-2	POG4			x	
2604(b)(1)	Murder of unborn child-2nd degree	Murder of 2nd Degree	H-5	POG4			x	
2604(b)(1)	Murder of unborn child-2nd degree (offender 15-<18 yrs.)	Murder of 2nd Degree	H-3	POG4			x	
2604(b)(1)	Murder of unborn child-2nd degree (offender <15 yrs.)	Murder of 2nd Degree	H-1	POG4			x	
2604(c)(1)	Murder of unborn child-3rd degree	F-1	G-2	POG4			x	
2605(a)(1)	Voluntary manslaughter of unborn child (provocation from mother)	F-1	19	POG3				
2605(a)(2)	Voluntary manslaughter of unborn child (provocation from another)	F-1	19	POG3				
2605(b)	Voluntary manslaughter of unborn child (believe justified)	F-1	19	POG3				
2606(a)*	Aggravated assault of unborn child (causes SBI)	F-1	20	POG4			x	
2606(a)*	Aggravated assault of unborn child (attempts to cause SBI)	F-1	18	POG4			x	
2701(a)(1)	Simple assault-attempt/cause BI	M-2	7	POG1				
2701(a)(1)*	Simple assault-cause BI (against child <12 by adult >=18)	M-1	9	POG3	Article B			
2701(a)(1)*	Simple assault-attempt BI (against child <12 by adult >=18)	M-1	8	POG3	Article B			
2701(a)(1)	Simple assault-attempt/cause BI (mutual consent)	M-3	5	POG1				
2701(a)(2)	Simple assault-cause BI w/ deadly weapon	M-2	7	POG1				

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2701(a)(2)	Simple assault-cause BI w/ deadly weapon (against child <12 by adult >=18)	M-1	9	POG3	Article B			
2701(a)(2)	Simple assault-cause BI w/ deadly weapon (mutual consent)	M-3	5	POG1				
2701(a)(3)	Simple assault-cause fear of SBI	M-2	7	POG1				
2701(a)(3)	Simple assault-cause fear of SBI (against child <12 by adult >=18)	M-1	8	POG3	Article B			
2701(a)(3)	Simple assault-cause fear of SBI (mutual consent)	M-3	5	POG1				
2701(a)(4)	Simple assault-penetrate w/ hypodermic needle	M-2	7	POG1				
2701(a)(4)	Simple assault-penetrate w/ hypodermic needle (against child <12 by adult >=18)	M-1	8	POG3	Article B			
2701(a)(4)	Simple assault-penetrate w/ hypodermic needle (mutual consent)	M-3	5	POG1				
2702(a)(1)*	Aggravated assault-cause SBI	F-1	18	POG4			x	
2702(a)(1)*	Aggravated assault-attempt SBI	F-1	16	POG4			x	
2702(a)(2)*	Aggravated assault-cause SBI to police/enumerated persons	F-1	19	POG4			x	
2702(a)(2)*	Aggravated assault-attempt SBI to police/enumerated persons	F-1	17	POG4			x	
2702(a)(3)*	Aggravated assault-cause BI to police/enumerated persons	F-2	12	POG3				
2702(a)(3)*	Aggravated assault-attempt BI to police/enumerated persons	F-2	10	POG3				
2702(a)(4)*	Aggravated assault-cause BI w/ deadly weapon	F-2	14	POG3				
2702(a)(4)*	Aggravated assault-attempt BI w/ deadly weapon	F-2	12	POG3				
2702(a)(5)*	Aggravated assault-cause BI to teacher, etc.	F-2	12	POG3				
2702(a)(5)*	Aggravated assault-attempt BI to teacher, etc.	F-2	10	POG3				
2702(a)(6)	Aggravated assault-cause fear of SBI	F-2	10	POG3				
2702(a)(7)	Aggravated assault-use tear gas/electronic device ag. police, etc.	F-2	10	POG3				
2702(a)(8)*	Aggravated assault-cause BI (against child <6 by person >=18)	F-2	13	POG3				
2702(a)(8)*	Aggravated assault-attempt BI (against child <6 by person >=18)	F-2	11	POG3				
2702(a)(9)*	Aggravated assault-cause SBI (against child <13 by person >=18)	F-1	20	POG3				
2702(a)(9)*	Aggravated assault-attempt SBI (against child <13 by person >=18)	F-1	18	POG3				

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2702.1(a)(1)	Assault of law enforcement officer-discharge firearm (cause BI)	F-1	28	POG4			x	
2702.1(a)(1)	Assault of law enforcement officer-discharge firearm (attempt BI)	F-1	27	POG4			x	
2702.1(a)(2)	Assault of law enforcement officer-cause/attempt contact with blood, seminal fluid, saliva, urine or feces	F-3	10	POG3	Article B			
2702.1(a)(2)	Assault of law enforcement officer-cause/attempt contact with blood, seminal fluid, saliva, urine or feces; infected with communicable disease	F-2	11	POG3				
2703(a)(1)(i)	Assault by prisoner	F-2	11	POG3				
2703(a)(1)(ii)	Assault by prisoner-against employee deadly weapon/likely to cause BI	F-2	12	POG3				
2703(a)(2)	Assault by prisoner-fluids	F-2	11	POG3				
2703(a)(3)	Assault by prisoner-against employee with deadly weapon/likely SBI	F-1	17	POG3				
2703.1	Aggravated harassment by prisoner	F-3	10	POG2	Article B			
2704	Assault by life prisoner	Murder of 2nd Degree	H-5	POG4			x	
2704 Inchoate	—Attempt/solicitation/conspiracy to assault by life prisoner (SBI)	18 Pa.C.S. § 1102(c)	24	POG4			x	
2704 Inchoate	—Attempt/solicitation/conspiracy to assault by life prisoner (No SBI)	18 Pa.C.S. § 1102(c)	22	POG4			x	
2705	Recklessly endangering another person	M-2	7	POG1				
2706(a)(1)	Terroristic threats-intent to terrorize	M-1	7	POG3	Article B			
2706(a)(1)	Terroristic threats-intent to terrorize/divert from activities	F-3	8	POG3	Article B			
2706(a)(2)	Terroristic threats-cause evacuation of building	M-1	7	POG3	Article B			
2706(a)(2)	Terroristic threats-cause evacuation of building/divert from activities	F-3	8	POG3	Article B			
2706(a)(3)	Terroristic threats-serious public inconvenience	M-1	7	POG3	Article B			
2706(a)(3)	Terroristic threats-serious public inconvenience/divert from activities	F-3	8	POG3	Article B			
2707(a)	Propulsion of missiles into an occupied vehicle	M-1	7	POG3	Article B			
2707(b)	Propulsion of missiles onto a roadway	M-2	5	POG1				
2707.1(a)	Discharge of firearm into an occupied structure	F-3	15	POG3	Article B			
2708(a)	Use of tear gas in labor dispute	M-1	7	POG3	Article B			
2709(a)(1)	Harassment-subject other physical contact (prev. violation of order)	M-3	5	POG1				

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2709(a)(2)	Harassment-follow in public place (prev. violation of order)	M-3	5	POG1				
2709(a)(3)	Harassment-course of conduct w/ no legitimate purpose (prev. violation of order)	M-3	5	POG1				
2709(a)(4)	Harassment-lewd communication	M-3	5	POG1				
2709(a)(5)	Harassment-repeated, anonymous communication	M-3	5	POG1				
2709(a)(6)	Harassment-repeated communication: inconvenient hours	M-3	5	POG1				
2709(a)(7)	Harassment-repeated communication: other	M-3	5	POG1				
2709(a.1)(1)(i)	Cyber harassment of a child; seriously disparaging statements or opinion (course of conduct)	M-3	2	POG1				
2709(a.1)(1)(ii)	Cyber harassment of a child; threat to inflict harm (course of conduct)	M-3	2	POG1				
2709.1(a)(1)	Stalking-repeated acts to cause fear of BI (1st off)	M-1	7	POG3	Article B			
2709.1(a)(1)	Stalking-repeated acts to cause fear of BI (2nd/subseq. off)	F-3	9	POG3	Article B			
2709.1(a)(1)	Stalking-repeated acts to cause fear of BI (prior crime of violence)	F-3	10	POG3	Article B			
2709.1(a)(2)	Stalking-course of conduct to cause fear of BI (1st off)	M-1	7	POG3	Article B			
2709.1(a)(2)	Stalking-course of conduct to cause fear of BI (2nd/subseq. off)	F-3	9	POG3	Article B			
2709.1(a)(2)	Stalking-course of conduct to cause fear of BI (prior crime of violence)	F-3	10	POG3	Article B			
2710	Ethnic Intimidation	18 Pa.C.S. § 2710(b)	(+2)					
2712(a)	Assault-sports official	M-1	8	POG3	Article B			
2713(a)(1)	Neglect of care-dependent person-no treatment (cause death)	F-1	18	POG3				
2713(a)(1)	Neglect of care-dependent person-no treatment (cause SBI)	F-1	16	POG3				
2713(a)(1)	Neglect of care-dependent person-no treatment (cause BI)	M-1	7	POG3	Article B			
2713(a)(2)	Neglect of care-dependent person-physical/chemical restraint (cause death)	F-1	18	POG3				
2713(a)(2)	Neglect of care-dependent person-physical/chemical restraint (cause SBI)	F-1	16	POG3				
2713(a)(2)	Neglect of care-dependent person-physical/chemical restraint (cause BI)	M-1	7	POG3	Article B			
2713(a)(3)	Neglect of care-dependent person-fails to provide treatment, care, goods, etc. (course of conduct)	F-3	8	POG3	Article B			

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2713(a)(3)	Neglect of care-dependent person-fails to provide treatment, care, goods, etc.	M-2	5	POG1				
2713.1(a)(1)(i)	Abuse of care-dependent person-intent to harass, etc. (strike, shove kick)	M-1	7	POG3	Article B			
2713.1(a)(1)(ii)	Abuse of care-dependent person-intent to harass, etc. (course of conduct)	M-1	7	POG3	Article B			
2713.1(a)(1)(iii)	Abuse of care-dependent person-intent to harass, etc. (communications-type)	M-1	7	POG3	Article B			
2713.1(a)(1)(iv)	Abuse of care-dependent person-intent to harass, etc. (communicate-extremely inconvenient hours)	M-1	7	POG3	Article B			
2713.1(a)(2)	Abuse of care-dependent person-offense under 18 § 2709.1 (related to stalking)	F-3	8	POG3	Article B			
2714	Unauthorized administration of intoxicant	F-3	12	POG3	Article B			
2715(a)(3)	Threat to use weapons of mass destruction-reports w/o knowledge	M-1	7	POG3	Article B			
2715(a)(3)	Threat to use weapons of mass destruction-reports w/o knowledge (divert from activities)	F-3	8	POG3	Article B			
2715(a)(3)	Threat to use weapons of mass destruction-reports w/o knowledge (during emergency)	F-2	10	POG3				
2715(a)(4)	Threat to use weapons of mass destruction-threaten placement	M-1	7	POG3	Article B			
2715(a)(4)	Threat to use weapons of mass destruction-threaten placement (divert from activities)	F-3	10	POG3	Article B			
2715(a)(4)	Threat to use weapons of mass destruction-threaten placement (during emergency)	F-2	10	POG3				
2716(a)	Weapons of mass destruction-possession (1st off)	F-2	10	POG3				
2716(a)	Weapons of mass destruction-possession (2nd/subseq. off)	F-1	18	POG3				
2716(b)(1)	Weapons of mass destruction-use (cause death)	Murder of 2nd Degree	H-5	POG4			x	
2716(b)(1)	Weapons of mass destruction-use (cause injury/illness)	F-1	22	POG4			x	
2716(b)(2)	Weapons of mass destruction-use (cause damage/disrupt water/food)	F-1	22	POG4			x	
2716(b)(3)	Weapons of mass destruction-use (cause evacuation of building etc.)	F-1	22	POG4			x	
2717	Terrorism	18 Pa.C.S. § 2717	(+2)	POG4			x	
2718(a)(1)	Strangulation-applying pressure to throat or neck	M-2	7	POG1				
2718(a)(1)	Strangulation-applying pressure to throat or neck	F-2	13	POG4			x	
2718(a)(1)	Strangulation-applying pressure to throat or neck	F-1	16	POG4			x	

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2718(a)(2)	Strangulation-blocking nose and mouth	M-2	7	POG1				
2718(a)(2)	Strangulation-blocking nose and mouth	F-2	13	POG4			x	
2718(a)(2)	Strangulation-blocking nose and mouth	F-1	16	POG4			x	
2802(a)(1)	Hazing a minor or student-violate federal or state criminal law (reasonable likelihood of BI)	M-3	5	POG1				
2802(a)(2)	Hazing a minor or student-consume food, liquid, alcohol, drug, etc. (reasonable likelihood of BI)	M-3	5	POG1				
2802(a)(3)	Hazing a minor or student-endure brutality of physical nature (reasonable likelihood of BI)	M-3	5	POG1				
2802(a)(4)	Hazing a minor or student-endure brutality of mental nature (reasonable likelihood of BI)	M-3	5	POG1				
2802(a)(5)	Hazing a minor or student-endure brutality of sexual nature (reasonable likelihood of BI)	M-3	5	POG1				
2802(a)(6)	Hazing a minor or student-endure other activity (reasonable likelihood of BI)	M-3	5	POG1				
2803(a)(1)*	Aggravated hazing a minor or student-reckless indifference (SBI)	F-3	10	POG3	Article B			
2803(a)(1)*	Aggravated hazing a minor or student-reckless indifference (death)	F-3	11	POG3	Article B			
2803(a)(2)*	Aggravated hazing a minor or student-causes, coerces or forces consumption of alcohol or drug (SBI)	F-3	10	POG3	Article B			
2803(a)(2)*	Aggravated hazing a minor or student-causes, coerces or forces consumption of alcohol or drug (death)	F-3	11	POG3	Article B			
2901(a)(1)	Kidnapping-for ransom (victim >=18 yrs.)	F-1	15	POG4			x	
2901(a)(2)	Kidnapping-to facilitate a felony (victim >=18 yrs.)	F-1	15	POG4			x	
2901(a)(3)	Kidnapping-to inflict terror, BI (victim >=18 yrs.)	F-1	15	POG4			x	
2901(a)(4)	Kidnapping-to interfere w/ performance of pub. official (victim >=18 yrs.)	F-1	15	POG4			x	
2901(a.1)(1)*	Kidnapping-minor, for ransom/etc. (victim 14-<18 yrs.)	F-1	16	POG4		x	x	
2901(a.1)(1)*	Kidnapping-minor, for ransom/etc. (victim <14 yrs.)	F-1	17	POG4		x	x	
2901(a.1)(2)*	Kidnapping-minor, to facilitate felony (victim 14-<18 yrs.)	F-1	16	POG4		x	x	
2901(a.1)(2)*	Kidnapping-minor, to facilitate felony (victim <14 yrs.)	F-1	17	POG4		x	x	
2901(a.1)(3)*	Kidnapping-minor, to inflict terror, BI (victim 14-<18 yrs.)	F-1	17	POG4		x	x	
2901(a.1)(3)*	Kidnapping-minor, to inflict terror, BI (victim <14 yrs.)	F-1	17	POG4		x	x	
2901(a.1)(4)*	Kidnapping-minor, to interfere w/ pub. official (victim 14-<18 yrs.)	F-1	16	POG4		x	x	

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2901(a.1)(4)*	Kidnapping-minor, to interfere w/ pub. official (victim <14 yrs.)	F-1	17	POG4		x	x	
2902(a)(1)	Unlawful restraint-risk SBI	M-1	7	POG3	Article B			
2902(a)(2)	Unlawful restraint-involuntary servitude	M-1	7	POG3	Article B			
2902(b)(1)	Unlawful restraint-risk SBI (victim <18 yrs.)	F-2	12	POG3		x		
2902(b)(2)	Unlawful restraint-involuntary servitude (victim <18 yrs.)	F-2	12	POG3		x		
2902(c)(1)	Unlawful restraint by parent-risk SBI (victim <18 yrs.)	F-2	12	POG3				
2902(c)(2)	Unlawful restraint by parent-involuntary servitude (victim <18 yrs.)	F-2	12	POG3				
2903(a)	False imprisonment (victim >=18 yrs.)	M-2	6	POG1				
2903(b)	False imprisonment (victim <18 yrs.)	F-2	12	POG3		x		
2903(c)	False imprisonment by parent (victim <18 yrs.)	F-2	10	POG3				
2904(a)	Interfere with custody of children	F-3	9	POG3		x		
2904(a)*	Interfere with custody of children-good cause/time <24 hrs. ((c)(1))	M-2	7	POG1		x		
2904(a)*	Interfere with custody of children-good cause/time <24 hrs. ((c)(2))	M-2	7	POG1				
2904(a)	Interfere with custody of children-w/ reckless disregard	F-2	12	POG3		x		
2905(a)	Interfere with custody of committed person	M-2	6	POG1				
2906(a)(1)	Criminal coercion-threat to commit crime	M-2	5	POG1				
2906(a)(1)	Criminal coercion-threat to commit crime (felony)	M-1	7	POG3	Article B			
2906(a)(2)	Criminal coercion-threat to accuse of crime	M-2	5	POG1				
2906(a)(2)	Criminal coercion-threat to accuse of crime (felony)	M-1	7	POG3	Article B			
2906(a)(3)	Criminal coercion-threat to expose secret	M-2	5	POG1				
2906(a)(3)	Criminal coercion-threat to expose secret (felony)	M-1	7	POG3	Article B			
2906(a)(4)	Criminal coercion-threaten official act	M-2	5	POG1				
2906(a)(4)	Criminal coercion-threaten official act (felony)	M-1	7	POG3	Article B			
2907	Disposition of ransom	F-3	9	POG3	Article B			
2909(b)(1)	Concealment of whereabouts of a child-in Commonwealth	F-3	9	POG3	Article B			
2909(b)(2)	Concealment of whereabouts of a child-parents in Commonwealth	F-3	9	POG3	Article B			
2910(a)	Luring child into motor vehicle/structure	M-1	7	POG3	Article B			
2910	Luring a child into motor vehicle/structure (child <13 yrs.)	F-2	13	POG3		x		

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3011(a)(1)*	Trafficking in individuals-recruits, entices, solicits, harbors, etc.	F-1	15	POG4		x	x	
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	27	POG4		x	x	
3011(a)(2)*	Trafficking in individuals-knowingly benefits financially	F-1	15	POG4		x	x	
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	27	POG4		x	x	
3011(a)(3)	Trafficking in individuals-knows or recklessly disregards	F-2	13	POG4			x	
3011(a)(4)	Trafficking in individuals-knowingly benefits financially	F-2	13	POG4			x	
3012(b)(1)*	Involuntary servitude-cause serious harm	F-1	15	POG3		x		
3012(b)(1)*	Involuntary servitude-threaten serious harm	F-1	13	POG3		x		
3012(b)(2)*	Involuntary servitude-physically restrain another	F-1	15	POG3		x		
3012(b)(2)*	Involuntary servitude-threaten to physically restrain another	F-1	13	POG3		x		
3012(b)(3)*	Involuntary servitude-kidnap	F-1	18	POG3		x		
3012(b)(3)*	Involuntary servitude-attempt to kidnap	F-1	16	POG3		x		
3012(b)(4)*	Involuntary servitude-abuse legal process	F-1	15	POG3		x		
3012(b)(4)*	Involuntary servitude-threaten to abuse legal process	F-1	13	POG3		x		
3012(b)(5)	Involuntary servitude-taking/retaining personal property	F-1	15	POG3		x		
3012(b)(6)	Involuntary servitude-unlawful conduct of documents	F-1	15	POG3		x		
3012(b)(7)	Involuntary servitude-extortion	F-1	15	POG3		x		
3012(b)(8)	Involuntary servitude-fraud	F-1	15	POG3		x		
3012(b)(9)	Involuntary servitude-criminal coercion	F-1	15	POG3		x		
3012(b)(10)*	Involuntary servitude-duress through force	F-1	15	POG3		x		
3012(b)(10)*	Involuntary servitude-duress through threat of force	F-1	13	POG3		x		
3012(b)(11)	Involuntary servitude-debt coercion	F-1	15	POG3		x		
3012(b)(12)	Involuntary servitude-facilitate/restrict access to controlled substance	F-1	15	POG3		x		
3012(b)(13)	Involuntary servitude-cause believe harm/restraint to another	F-1	15	POG3		x		
3013(a)(1)*	Patronizing victim of sexual servitude	F-1	15	POG3		x		
3013(a)(1)*	Patronizing victim of sexual servitude-minor victim	F-1	18	POG3		x		

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3013(a)(2)(i)*	Patronizing victim of sexual servitude-reckless disregard (1st offense)	F-3	9	POG3	Article B	x		
3013(a)(2)(i)*	Patronizing victim of sexual servitude-reckless disregard; minor victim (1st offense)	F-3	10	POG3	Article B	x		
3013(a)(2)(ii)*	Patronizing victim of sexual servitude-reckless disregard (2nd/subseq. offense)	F-1	14	POG3		x		
3013(a)(2)(ii)*	Patronizing victim of sexual servitude-reckless disregard; minor victim (2nd/subseq. offense)	F-1	16	POG3		x		
3014(1)	Unlawful conduct regarding documents-passport/other immigration document	F-3	9	POG3	Article B			
3014(2)	Unlawful conduct regarding documents-government ID document	F-3	9	POG3	Article B			
3015(a)(1)	Nonpayment of wages (<\$2,000)	M-3	5	POG1				
3015(a)(2)(i)	Nonpayment of wages (=>\$2,000)	F-3	9	POG3	Article B			
3015(a)(2)(ii)	Nonpayment of wages (2nd/subseq. violation)	F-3	9	POG3	Article B			
3015(a)(2)(iii)	Nonpayment of wages (falsely denies amount due or validity of claim)	F-3	9	POG3	Article B			
3016	Obstruction of justice-interfere with enforcement of Chapter 30	Same as corresponding offense under 18 Pa.C.S. Chapter 30	See § 303.3(a)(3)(ii)		Article B			
3121(a)(1)	Rape-forcible compulsion	F-1	21	POG4		x	x	
3121(a)(1)	Rape-forcible compulsion (uses substance to impair)	F-1	23	POG4		x	x	
3121(a)(2)	Rape-threat of forcible compulsion	F-1	20	POG4		x	x	
3121(a)(2)	Rape-threat of forcible compulsion (uses substance to impair)	F-1	23	POG4		x	x	
3121(a)(3)	Rape-unconscious victim	F-1	21	POG4		x	x	
3121(a)(3)	Rape-unconscious victim (uses substance to impair)	F-1	23	POG4		x	x	
3121(a)(4)	Rape-substantially impaired victim	F-1	21	POG4		x	x	
3121(a)(4)	Rape-substantially impaired victim (uses substance to impair)	F-1	23	POG4		x	x	
3121(a)(5)	Rape-mentally disabled victim	F-1	21	POG4		x	x	
3121(a)(5)	Rape-mentally disabled victim (uses substance to impair)	F-1	23	POG4		x	x	
3121(c)	Rape-child (victim <13 yrs.)	F-1	27	POG4		x	x	
3121(d)	Rape-child w/ SBI (victim <13 yrs.)	F-1	28	POG4		x	x	

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3122.1(a)(1)	Statutory sexual assault-victim <16 yrs. (person 4-<8 yrs. older)	F-2	11	POG3				
3122.1(a)(2)	Statutory sexual assault-victim <16 yrs. (person 8-<11 yrs. older)	F-2	12	POG3		x		
3122.1(b)	Statutory sexual assault-victim <16 yrs. (person ≥11 yrs. older)	F-1	14	POG3		x		
3123(a)(1)	IDSI-forcible compulsion	F-1	21	POG4		x	x	
3123(a)(2)	IDSI-threat of forcible compulsion	F-1	20	POG4		x	x	
3123(a)(3)	IDSI-unconscious victim	F-1	21	POG4		x	x	
3123(a)(4)	IDSI-substantially impaired victim	F-1	21	POG4		x	x	
3123(a)(5)	IDSI-mentally disabled victim	F-1	21	POG4		x	x	
3123(a)(7)	IDSI-victim <16 yrs. (person ≥4 yrs. older)	F-1	21	POG4		x	x	
3123(b)	IDSI-child (victim <13 yrs.)	F-1	27	POG4		x	x	
3123(c)	IDSI-child w/ SBI (victim <13 yrs.)	F-1	28	POG4		x	x	
3124.1	Sexual assault	F-2	18	POG4		x	x	
3124.2(a)	Institutional sexual assault-generally	F-3	9	POG3		x		
3124.2(a.1)	Institutional sexual assault-minor (victim <18 yrs.)	F-3	10	POG3		x		
3124.2(a.2)	Institutional sexual assault-by school volunteer/employee	F-3	10	POG3		x		
3124.2(a.3)	Institutional sexual assault-by childcare volunteer/employee	F-3	10	POG3		x		
3124.2(a.4)(1)	Institutional sexual assault by peace officer	F-3	10	POG3		x		
3124.2(a.4)(2)	Institutional sexual assault by peace officer-child (victim <18)	F-3	10	POG3		x		
3124.2(a.6)(1)	Institutional sexual assault by caretakers	F-3	10	POG3	Article B			
3124.3(a)	Sexual assault by sports official of non-profit association	F-3	9	POG3	Article B			
3124.3(b)	Sexual assault by volunteer or employee of non-profit association	F-3	9	POG3	Article B			
3125(a)(1)	Aggravated indecent assault-w/o consent	F-2	15	POG4		x	x	
3125(a)(1)	Aggravated indecent assault-of a child w/out consent (victim <13 yrs.)	F-1	21	POG4		x	x	
3125(a)(2)	Aggravated indecent assault-forcible compulsion	F-2	15	POG4		x	x	
3125(a)(2)	Aggravated indecent assault-of a child/forcible compulsion (victim <13 yrs.)	F-1	20	POG4		x	x	
3125(a)(3)	Aggravated indecent assault-threat of forcible compulsion	F-2	17	POG4		x	x	

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3125(a)(3)	Aggravated indecent assault-of a child/threat of forcible compulsion (victim <13 yrs.)	F-1	21	POG4		x	x	
3125(a)(4)	Aggravated indecent assault-unconscious victim	F-2	16	POG4		x	x	
3125(a)(4)	Aggravated indecent assault-of a child/unconscious victim (victim <13 yrs.)	F-1	21	POG4		x	x	
3125(a)(5)	Aggravated indecent assault-substantially impaired victim	F-2	17	POG4		x	x	
3125(a)(5)	Aggravated indecent assault-of a child/substantially impaired victim (<13 yrs.)	F-1	21	POG4		x	x	
3125(a)(6)	Aggravated indecent assault-mentally disabled victim	F-2	17	POG4		x	x	
3125(a)(6)	Aggravated indecent assault-of a child/mentally disabled victim (<13 yrs.)	F-1	21	POG4		x	x	
3125(a)(7)	Aggravated indecent assault-victim <13 yrs.	F-2	17	POG4		x	x	
3125(a)(8)	Aggravated indecent assault-victim <16 yrs. (person >=4 yrs. older)	F-2	17	POG4		x	x	
3126(a)(1)	Indecent assault-w/o consent	M-2	7	POG1		x		
3126(a)(2)	Indecent assault-forcible compulsion	M-1	8	POG3	Article B	x		
3126(a)(3)	Indecent assault-threat of forcible compulsion	M-1	8	POG3	Article B	x		
3126(a)(4)	Indecent assault-unconscious victim	M-1	9	POG3	Article B	x		
3126(a)(5)	Indecent assault-substantially impaired victim	M-1	9	POG3	Article B	x		
3126(a)(6)	Indecent assault-mentally disabled victim	M-1	9	POG3	Article B	x		
3126(a)(7)	Indecent assault-victim <13 yrs.	M-1	9	POG3	Article B	x		
3126(a)(7)	Indecent assault-victim <13 yrs. (2nd/subseq.)	F-3	12	POG3	Article B	x		
3126(a)(7)	Indecent assault-victim <13 yrs./course of conduct	F-3	12	POG3	Article B	x		
3126(a)(7)	Indecent assault-victim <13 yrs./touching victim's sexual parts w/ person's	F-3	11	POG3	Article B	x		
3126(a)(7)	Indecent assault-victim <13 yrs./touching person's sexual parts w/ victim's	F-3	11	POG3	Article B	x		
3126(a)(8)	Indecent assault-victim <16 yrs. (person >=4 yrs. older)	M-2	8	POG1		x		
3127(a)	Indecent exposure	M-2	7	POG1				
3127(a)	Indecent exposure-victim <16 yrs.	M-1	8	POG3	Article B			
3129	Sexual intercourse with animal	M-2	5	POG1				
3130(a)(1)	Conduct relating to sex offenders-withhold information	F-3	8	POG3	Article B			
3130(a)(2)	Conduct relating to sex offenders-harbor sex offender	F-3	8	POG3	Article B			
3130(a)(3)	Conduct relating to sex offenders-conceal sex offender	F-3	8	POG3	Article B			

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3130(a)(4)	Conduct relating to sex offenders-provide false information	F-3	8	POG3	Article B			
3131(a)	Unlawful dissemination of intimate image (person depicted is minor <18 yrs.)	M-1	7	POG3	Article B			
3131(a)	Unlawful dissemination of intimate image (person depicted is not minor =>18 yrs.)	M-2	5	POG1				
3132(a)(1)	Female mutilation	F-1	20	POG3				
3132(a)(2)	Female mutilation-is a parent of a minor and the parent knowingly consents or permits	F-1	18	POG3				
3132(a)(3)	Female mutilation-knowingly removes or permits the removal of a minor from this Commonwealth	F-1	18	POG3				
3133(a)(1)*	Sexual extortion-engage in sexual conduct	M-1	7	POG3	Article B			
3133(a)(1)*	Sexual extortion-engage in sexual conduct: victim<18	F-3	10	POG3	Article B			E
3133(a)(1)*	Sexual extortion-engage in sexual conduct: intellectual disability	F-3	10	POG3	Article B			E
3133(a)(1)*	Sexual extortion-engage in sexual conduct: offender's position	F-3	10	POG3	Article B			
3133(a)(1)*	Sexual extortion-engage in sexual conduct: course of conduct	F-3	9	POG3	Article B			
3133(a)(1)*	Sexual extortion-engage in sexual conduct: 2nd/subseq.	F-3	9	POG3	Article B			
3133(a)(2)*	Sexual extortion-produce/disseminate image, etc.	M-1	7	POG3	Article B			
3133(a)(2)*	Sexual extortion-produce/disseminate image, etc.: victim <18	F-3	10	POG3	Article B			E
3133(a)(2)*	Sexual extortion-produce/disseminate image, etc.: intellectual disability	F-3	10	POG3	Article B			E
3133(a)(2)*	Sexual extortion-produce/disseminate image, etc.: offender's position	F-3	10	POG3	Article B			E
3133(a)(2)*	Sexual extortion-produce/disseminate image, etc.: course of conduct	F-3	9	POG3	Article B			
3133(a)(2)*	Sexual extortion-produce/disseminate image, etc.: 2nd/subseq.	F-3	9	POG3	Article B			
3133(c)(1)*	Sexual extortion-solicit/demand payment to remove/prevent disclosure of image, etc.	M-1	7	POG3	Article B			
3133(c)(1)*	Sexual extortion-solicit/demand payment to remove/prevent disclosure of image, etc.: victim <18	F-3	10	POG3	Article B			E
3133(c)(1)*	Sexual extortion-solicit/demand payment to remove/prevent disclosure of image, etc.: intellectual disability	F-3	10	POG3	Article B			E

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3133(c)(1)*	Sexual extortion-solicit/demand payment to remove/prevent disclosure of image, etc.: offender's position	F-3	10	POG3	Article B			E
3133(c)(1)*	Sexual extortion solicit/demand payment to remove/prevent disclosure of image, etc.: course of conduct	F-3	9	POG3	Article B			
3133(c)(1)*	Sexual extortion solicit/demand payment to remove/prevent disclosure of image, etc.: 2nd/subseq.	F-3	9	POG3	Article B			
3133(c)(2)*	Sexual extortion-threaten/disseminate image, etc. & demand payment for removal/prevent disclosure	M-1	7	POG3	Article B			
3133(c)(2)*	Sexual extortion-threaten/disseminate image, etc. & demand payment for removal/prevent disclosure: victim < 18	F-3	10	POG3	Article B			E
3133(c)(2)*	Sexual extortion-threaten/disseminate image, etc. & demand payment for removal/prevent disclosure: intellectual disability	F-3	10	POG3	Article B			E
3133(c)(2)*	Sexual extortion-threaten/disseminate image, etc. & demand payment for removal/prevent disclosure: offender's position	F-3	10	POG3	Article B			E
3133(c)(2)*	Sexual extortion-threaten/disseminate image, etc. & demand payment for removal/prevent disclosure: course of conduct	F-3	9	POG3	Article B			
3133(c)(2)*	Sexual extortion-threaten/disseminate image, etc. & demand payment for removal/prevent disclosure: 2nd/subseq.	F-3	9	POG3	Article B			
3204	Medical consultation and judgment (intentional, knowing, or reckless violation)	F-3	9	POG3	Article B			
3205	Informed consent (2nd/subseq. offense)	M-3	2	POG1				
3210	Determination of gestational age (intentional, knowing, or reckless falsification)	M-3	2	POG1				
3211(a)	Abortion on unborn child of 24 or more weeks gestational age	F-3	9	POG3	Article B			
3211(c)	Abortion on unborn child of 24 or more weeks gestational age (regulated)	M-2	4	POG1				
3211(c)	Abortion on unborn child of 24 or more weeks gestational age (regulated) (2nd/subseq. offense)	M-1	7	POG3	Article B			
3212(b)	Infanticide (care required)	F-3	9	POG3	Article B			
3213(a)	Prohibited acts-payment for abortion	M-2	4	POG1				
3213(b)	Prohibited acts-referral fee	M-1	7	POG3	Article B			
3214	Reporting-willful false reports	M-1	7	POG3	Article B			
3214(c)	Reporting-failure to report	M-3	2	POG1				

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3214(e)(3)	Reporting-willful unauthorized disclosure	M-3	2	POG1				
3215(f)	Public officers; ordering abortions	M-1	7	POG3	Article B			
PART II								
ARTICLE C								
3301(a)(1)(i)*	Arson endangering persons-danger of death (person in building or BI results)	F-1	15	POG4			x	
3301(a)(1)(i)*	Arson endangering persons-danger of death (no person in building and no BI)	F-1	13	POG4			x	
3301(a)(1)(i)*	Arson endangering persons-danger of death (cause SBI to civilian)	F-1	19	POG4			x	E
3301(a)(1)(i)*	Arson endangering persons-danger of death (cause BI to firefighter, etc.)	F-1	19	POG4			x	E
3301(a)(1)(ii)*	Arson endangering persons-inhabited building (person in building or BI results)	F-1	15	POG4			x	
3301(a)(1)(ii)*	Arson endangering persons-inhabited building (no person in building and no BI)	F-1	13	POG4			x	
3301(a)(1)(ii)*	Arson endangering persons-inhabited building (cause SBI to civilian)	F-1	19	POG4			x	E
3301(a)(1)(ii)*	Arson endangering persons-inhabited building (cause BI to firefighter, etc.)	F-1	19	POG4			x	E
3301(a)(2)	Arson endangering persons-cause death w/ intent (murder-1st degree)	Murder of 1st Degree	H-6	POG4			x	
3301(a)(2)	Arson endangering persons-cause death (murder-2nd degree)	Murder of 2nd Degree	H-5	POG4			x	
3301(a.1)(1)(i)*	Aggravated arson-attempt BI to civilian	F-1	15	POG4			x	
3301(a.1)(1)(i)*	Aggravated arson-cause BI to civilian	F-1	19	POG4			x	
3301(a.1)(1)(i)*	Aggravated arson-attempt SBI to civilian	F-1	18	POG4			x	
3301(a.1)(1)(i)*	Aggravated arson-cause SBI to civilian	F-1	20	POG4			x	E
3301(a.1)(1)(i)*	Aggravated arson-attempt BI to firefighter, etc.	F-1	18	POG4			x	
3301(a.1)(1)(i)*	Aggravated arson-cause BI to firefighter, etc.	F-1	20	POG4			x	E
3301(a.1)(1)(ii)	Aggravated arson-other felony arson (when person present inside property)	F-1	15	POG4			x	
3301(a.1)(2)	Aggravated arson-fire/explosion causes death of any person	Murder of 2nd Degree	H2 (A)	POG4			x	
3301(a.2)(1)	Arson of historic resource-w/ intent (fire/explosion)	F-2	10	POG3				
3301(a.2)(2)	Arson of historic resource-aids/pays (fire/explosion)	F-2	10	POG3				
3301(c)(1)	Arson endangering property-intent to destroy unoccupied bldg.	F-2	9	POG3				
3301(c)(2)	Arson endangering property-endangers inhabited building	F-2	9	POG3				

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3301(c)(3)	Arson endangering property-intent to collect insurance	F-2	9	POG3				
3301(d)(1)	Arson-reckless burning or exploding (endanger unoccupied bldg.)	F-3	7	POG2				
3301(d)(2)	Arson-reckless burning or exploding (endanger property >\$5000)	F-3	7	POG2				
3301(e)(1)	Arson-failure to control/report (duty)	M-1	7	POG1				
3301(e)(2)	Arson-failure to control/report (own property)	M-1	7	POG1				
3301(f)	Arson-possess explosive material (intent to use)	F-3	7	POG2				
3301(g)	Arson-failure to disclose true owner	M-3	2	POG1				
3302(a)	Catastrophe-causing (intentionally)	F-1	15	POG3				
3302(a)	Catastrophe-causing (recklessly)	F-2	9	POG3				
3302(b)	Catastrophe-risking	F-3	8	POG2				
3303(1)	Failure to prevent catastrophe-duty	M-2	7	POG1				
3303(2)	Failure to prevent catastrophe-acted or assented to	M-2	6	POG1				
3304(a)(1)	Criminal mischief-damage prop/intent/reckless/neglig. (>\$5,000)	F-3	7	POG2				
3304(a)(1)	Criminal mischief-damage prop/intent/reckless/neglig. (>\$1,000)	M-2	6	POG1				
3304(a)(1)	Criminal mischief-damage prop/intent/reckless/neglig. (>\$500)	M-3	2	POG1				
3304(a)(2)	Criminal mischief-tamper w/ property (>\$5,000)	F-3	7	POG2				
3304(a)(2)	Criminal mischief-tamper w/ property (>\$1,000)	M-2	6	POG1				
3304(a)(2)	Criminal mischief-tamper w/ property (>\$500)	M-3	2	POG1				
3304(a)(3)	Criminal mischief-cause pecuniary loss (>\$5,000)	F-3	7	POG2				
3304(a)(3)	Criminal mischief-cause pecuniary loss (>\$1,000)	M-2	6	POG1				
3304(a)(3)	Criminal mischief-cause pecuniary loss (>\$500)	M-3	2	POG1				
3304(a)(4)	Criminal mischief-graffiti (>\$5,000)	F-3	7	POG2				
3304(a)(4)	Criminal mischief-graffiti (>\$1,000)	M-2	6	POG1				
3304(a)(4)	Criminal mischief-graffiti (>\$150)	M-3	2	POG1				
3304(a)(5)	Criminal mischief-damage property (>\$5,000)	F-3	7	POG2				
3304(a)(5)	Criminal mischief-damage property (>\$1,000)	M-2	5	POG1				
3304(a)(5)	Criminal mischief-damage property (>\$500)	M-3	2	POG1				
3304(a)(6)	Criminal mischief-paintball (>\$5,000)	F-3	7	POG2				
3304(a)(6)	Criminal mischief-paintball (>\$1,000)	M-2	5	POG1				
3304(a)(6)	Criminal mischief-paintball (>\$500)	M-3	2	POG1				
3305	Tampering w/ fire apparatus/hydrants	M-3	2	POG1				

<i>18 Pa.C.S. §</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Prior Offense Group (POG)</i>	<i>POG3 Article B and VUFA</i>	<i>Megan's Law</i>	<i>Crimes of Violence</i>	<i>Enhance</i>
3307(a)(1)	Institutional vandalism-place of worship (>\$5,000 or desecration)	F-3	7	POG2				
3307(a)(1)	Institutional vandalism-place of worship (<=\$5,000)	M-2	7	POG1				
3307(a)(2)	Institutional vandalism-cemetery (>\$5,000 or desecration)	F-3	7	POG2				
3307(a)(3)	Institutional vandalism-school (>\$5,000 or desecration)	F-3	7	POG2				
3307(a)(3)	Institutional vandalism-school (<=\$5,000)	M-2	7	POG1				
3307(a)(3)	Institutional vandalism-cemetery (<=\$5,000)	M-2	7	POG1				
3307(a)(4)	Institutional vandalism-adjacent grounds (>\$5,000 or desecration)	F-3	7	POG2				
3307(a)(4)	Institutional vandalism-adjacent grounds (<=\$5,000)	M-2	6	POG1				
3307(a)(5)	Institutional vandalism-personal property (>\$5,000 or desecration)	F-3	7	POG2				
3307(a)(5)	Institutional vandalism-personal property (<=\$5,000)	M-2	6	POG1				
3307(a.1)	Institutional vandalism-possess marking device on property	M-2	5	POG1				
3309(a)	Agricultural vandalism (>\$5,000)	F-3	7	POG2				
3309(a)	Agricultural vandalism (>\$1,000)	M-1	7	POG1				
3309(a)	Agricultural vandalism (>\$500)	M-2	5	POG1				
3309(a)	Agricultural vandalism (<=\$500)	M-3	2	POG1				
3310(a)	Agricultural crop destruction	F-2	10	POG3				
3311	Ecoterrorism	18 Pa.C.S. § 3311	(+2)	POG4			x	
3312(a)(2)	Destruction of survey monument-call boundary into question	M-2	7	POG1				
3313(a)	Illegal dumping of methamphetamine waste	F-3	7	POG2				
3502(a)(1)(i)	Burglary-home/person present and bodily injury crime as defined in 18 Pa.C.S. § 3502(e)	F-1	15	POG4			x	E
3502(a)(1)(ii)	Burglary-home/person present	F-1	13	POG4			x	
3502(a)(2)	Burglary-home/no person present	F-1	10	POG3				
3502(a)(3)	Burglary-not a home/person present	F-1	9	POG3				
3502(a)(4)	Burglary-not a home/no person present	F-2	8	POG3				
3502(a)(4)	Burglary-not a home/no person present (commit theft of drugs)	F-1	10	POG3				
3503(a)(1)(i)	Criminal trespass-buildings	F-3	7	POG2				
3503(a)(1)(ii)	Criminal trespass-buildings (break in)	F-2	8	POG3				
3503(b)(1)(i)	Criminal trespass-defiant (notice by communication)	M-3	5	POG1				

<i>18 Pa.C.S. §</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Prior Offense Group (POG)</i>	<i>POG3 Article B and VUFA</i>	<i>Megan's Law</i>	<i>Crimes of Violence</i>	<i>Enhance</i>
3503(b)(1)(ii)	Criminal trespass-defiant (notice posted)	M-3	5	POG1				
3503(b)(1)(iii)	Criminal trespass-defiant (notice by fencing)	M-3	5	POG1				
3503(b)(1)(iv)	Criminal trespass-defiant (notice posted/school grounds)	M-3	5	POG1				
3503(b)(1)(v)	Criminal trespass-defiant (communication/leave school grounds)	M-1	7	POG1				
3503(b.2)(1)(i)	Criminal trespass-agricultural trespass (posted land)	M-3	2	POG1				
3503(b.2)(1)(ii)	Criminal trespass-agricultural trespass (defies order)	M-2	7	POG1				
3503(b.3)(1)(i)	Agricultural biosecurity trespass-enter w/o license	M-3	2	POG1				
3503(b.3)(1)(i)	Agricultural biosecurity trespass-enter w/o license (damage plant/animal)	M-1	7	POG1				
3503(b.3)(1)(ii)	Agricultural biosecurity trespass-fail to perform measure (damage plant/animal)	M-1	7	POG1				
3504(a)(1)(i)	Railroad vandalism to RR property-by disrupting train operation	M-3	2	POG1				
3504(a)(1)(ii)	Railroad vandalism to RR property-by driving vehicle	M-3	2	POG1				
3504(a)(1)(iii)	Railroad vandalism to RR property-by damaging property/equipment	M-3	2	POG1				
3504(b)	Railroad protection-stowaways prohibited	M-3	2	POG1				
3505(a)(3)	Unlawful use of unmanned aircraft: intentionally or knowingly deliver, provide, transmit, furnish contraband	F-2	10	POG3				
3701(a)(1)(i)	Robbery-inflicts SBI	F-1	20	POG4			x	
3701(a)(1)(i)	Robbery-inflicts SBI (drug-related)	F-1	22	POG4			x	
3701(a)(1)(ii)	Robbery-threatens SBI	F-1	16	POG4			x	
3701(a)(1)(ii)	Robbery-threatens SBI (drug-related)	F-1	19	POG4			x	
3701(a)(1)(iii)	Robbery-commit/threaten any F1 or F2	F-1	13	POG4			x	
3701(a)(1)(iii)	Robbery-commit/threaten any F1 or F2 (drug-related)	F-1	16	POG4			x	
3701(a)(1)(iv)	Robbery-inflicts/threatens BI	F-2	11	POG3				
3701(a)(1)(iv)	Robbery-inflicts/threatens BI (drug-related)	F-1	12	POG3				
3701(a)(1)(v)	Robbery-takes property by force	F-3	8	POG2				
3701(a)(1)(v)	Robbery-takes property by force (drug-related)	F-1	9	POG3				
3701(a)(1)(vi)	Robbery-demand money from financial institution	F-2	11	POG3				
3702(a)*	Robbery of motor vehicle-with SBI	F-1	21	POG4			x	E
3702(a)*	Robbery of motor vehicle-without SBI	F-1	14	POG4			x	E
3921(a)	Theft by unlaw taking-movable property (anhydrous ammonia)	F-2	12	POG3				

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3921(a)	Theft by unlaw taking-movable property (disaster)	F-2	12	POG3				
3921(a)	Theft by unlaw taking-movable property (firearm)	F-2	12	POG3				
3921(a)	Theft by unlaw taking-movable property (\geq \$500,000)	F-1	12	POG3				
3921(a)	Theft by unlaw taking-movable property (\$100,000- $<$ \$500,000)	F-2	10	POG3				
3921(a)*	Theft by unlaw taking-movable property ($>$ \$25,000- $<$ \$100,000/or motorized vehicle)	F-3	9	POG2				
3921(a)*	Theft by unlaw taking-movable property ($>$ \$2,000- $>$ \$25,000)	F-3	8	POG2				
3921(a)	Theft by unlaw taking-movable property ($<$ \$2,000/from indiv./by threat/breach)	M-1	7	POG1				
3921(a)	Theft by unlaw taking-movable property (\$200- $>$ 2,000/no threat)	M-1	6	POG1				
3921(a)	Theft by unlaw taking-movable property (\$50- $<$ \$200/no threat)	M-2	5	POG1				
3921(a)	Theft by unlaw taking-movable property ($<$ \$50/no threat)	M-3	2	POG1				
3921(b)	Theft by unlaw taking-immovable property (anhydrous ammonia)	F-2	12	POG3				
3921(b)	Theft by unlaw taking-immovable property (disaster)	F-2	12	POG3				
3921(b)	Theft by unlaw taking-immovable property (firearm)	F-2	12	POG3				
3921(b)	Theft by unlaw taking-immovable property (\geq \$500,000)	F-1	12	POG3				
3921(b)	Theft by unlaw taking-immovable property (\$100,000- $<$ \$500,000)	F-2	10	POG3				
3921(b)*	Theft by unlaw taking-immovable property ($>$ \$25,000- $<$ \$100,000/or motorized vehicle)	F-3	9	POG2				
3921(b)*	Theft by unlaw taking-immovable property ($>$ \$2,000- $>$ \$25,000)	F-3	8	POG2				
3921(b)	Theft by unlaw taking-immovable property ($<$ \$2,000/from indiv./by threat/breach)	M-1	7	POG1				
3921(b)	Theft by unlaw taking-immovable property (\$200- $>$ 2,000/no threat)	M-1	6	POG1				
3921(b)	Theft by unlaw taking-immovable property (\$50- $<$ \$200/no threat)	M-2	5	POG1				
3921(b)	Theft by unlaw taking-immovable property ($<$ \$50/no threat)	M-3	2	POG1				
3922(a)(1)	Theft by deception-false impression (anhydrous ammonia)	F-2	12	POG3				
3922(a)(1)	Theft by deception-false impression (firearm)	F-2	12	POG3				

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3922(a)(1)	Theft by deception-false impression (=>\$500,000)	F-1	12	POG3				
3922(a)(1)	Theft by deception-false impression (\$100,000-<\$500,000)	F-2	10	POG3				
3922(a)(1)*	Theft by deception-false impression (>\$25,000-<\$100,000/or motorized vehicle)	F-3	9	POG2				
3922(a)(1)*	Theft by deception-false impression (>\$2,000-\$25,000)	F-3	8	POG2				
3922(a)(1)	Theft by deception-false impression (<=\$2,000/from indiv./by threat/breach)	M-1	7	POG1				
3922(a)(1)	Theft by deception-false impression (\$200-\$2,000/no threat)	M-1	6	POG1				
3922(a)(1)	Theft by deception-false impression (>\$50-\$200/no threat)	M-2	5	POG1				
3922(a)(1)	Theft by deception-false impression (<\$50/no threat)	M-3	2	POG1				
3922(a)(2)	Theft by deception-conceal information (anhydrous ammonia)	F-2	12	POG3				
3922(a)(2)	Theft by deception-conceal information (firearm)	F-2	12	POG3				
3922(a)(2)	Theft by deception-conceal information (=>\$500,000)	F-1	12	POG3				
3922(a)(2)	Theft by deception-conceal information (\$100,000-<\$500,000)	F-2	10	POG3				
3922(a)(2)*	Theft by deception-conceal information (>\$25,000-<\$100,000/or motorized vehicle)	F-3	9	POG2				
3922(a)(2)*	Theft by deception-conceal information (>\$2,000-\$25,000)	F-3	8	POG2				
3922(a)(2)	Theft by deception-conceal information (<=\$2,000/from indiv./by threat/breach)	M-1	7	POG1				
3922(a)(2)	Theft by deception-conceal information (\$200-\$2,000/no threat)	M-1	6	POG1				
3922(a)(2)	Theft by deception-conceal information (\$50-<\$200/no threat)	M-2	5	POG1				
3922(a)(2)	Theft by deception-conceal information (<\$50/no threat)	M-3	2	POG1				
3922(a)(3)	Theft by deception-fail to correct (anhydrous ammonia)	F-2	12	POG3				
3922(a)(3)	Theft by deception-fail to correct (firearm)	F-2	12	POG3				
3922(a)(3)	Theft by deception-fail to correct (=>\$500,000)	F-1	12	POG3				
3922(a)(3)	Theft by deception-fail to correct (\$100,000-<\$500,000)	F-2	10	POG3				
3922(a)(3)*	Theft by deception-fail to correct (>\$25,000-<\$100,000/or motorized vehicle)	F-3	9	POG2				
3922(a)(3)*	Theft by deception-fail to correct (>\$2,000-\$25,000)	F-3	8	POG2				

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3922(a)(3)	Theft by deception-fail to correct (<=\$2,000/from indiv./by threat/breach)	M-1	7	POG1				
3922(a)(3)	Theft by deception-fail to correct (\$200-\$2,000/no threat)	M-1	6	POG1				
3922(a)(3)	Theft by deception-fail to correct (\$50-<\$200/no threat)	M-2	5	POG1				
3922(a)(3)	Theft by deception-fail to correct (<=\$50/no threat)	M-3	2	POG1				
3923(a)(1)	Theft by extortion-commit crime (anhydrous ammonia)	F-2	12	POG3				
3923(a)(1)	Theft by extortion-commit crime (firearm)	F-2	12	POG3				
3923(a)(1)	Theft by extortion-commit crime (=>\$500,000)	F-1	12	POG3				
3923(a)(1)	Theft by extortion-commit crime (\$100,000-<\$500,000)	F-2	10	POG3				
3923(a)(1)*	Theft by extortion-commit crime (>\$25,000-<\$100,000/or motorized vehicle)	F-3	9	POG2				
3923(a)(1)*	Theft by extortion-commit crime (>\$2,000-\$25,000)	F-3	8	POG2				
3923(a)(1)	Theft by extortion-commit crime (<=\$2,000/from indiv./by threat/breach)	M-1	7	POG1				
3923(a)(1)	Theft by extortion-commit crime (\$200-\$2,000/no threat)	M-1	6	POG1				
3923(a)(1)	Theft by extortion-commit crime (\$50-<\$200/no threat)	M-2	5	POG1				
3923(a)(1)	Theft by extortion-commit crime (<=\$50/no threat)	M-3	2	POG1				
3923(a)(2)	Theft by extortion-accuse of crime (anhydrous ammonia)	F-2	12	POG3				
3923(a)(2)	Theft by extortion-accuse of crime (firearm)	F-2	12	POG3				
3923(a)(2)	Theft by extortion-accuse of crime (=>\$500,000)	F-1	12	POG3				
3923(a)(2)	Theft by extortion-accuse of crime (\$100,000-<\$500,000)	F-2	10	POG3				
3923(a)(2)*	Theft by extortion-accuse of crime (>\$25,000-<\$100,000/or motorized vehicle)	F-3	9	POG2				
3923(a)(2)*	Theft by extortion-accuse of crime (>\$2,000-\$25,000)	F-3	8	POG2				
3923(a)(2)	Theft by extortion-accuse of crime (<=\$2,000/from indiv./by threat/breach)	M-1	7	POG1				
3923(a)(2)	Theft by extortion-accuse of crime (\$200-\$2,000/no threat)	M-1	6	POG1				
3923(a)(2)	Theft by extortion-accuse of crime (\$50-<\$200/no threat)	M-2	5	POG1				
3923(a)(2)	Theft by extortion-accuse of crime (<=\$50/no threat)	M-3	2	POG1				
3923(a)(3)	Theft by extortion-expose secret (anhydrous ammonia)	F-2	12	POG3				
3923(a)(3)	Theft by extortion-expose secret (firearm)	F-2	12	POG3				
3923(a)(3)	Theft by extortion-expose secret (=>\$500,000)	F-1	12	POG3				

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3923(a)(3)	Theft by extortion-expose secret (\$100,000-<\$500,000)	F-2	10	POG3				
3923(a)(3)*	Theft by extortion-expose secret (>\$25,000-<\$100,000/or motorized vehicle)	F-3	9	POG2				
3923(a)(3)*	Theft by extortion-expose secret (>\$2,000-\$25,000)	F-3	8	POG2				
3923(a)(3)	Theft by extortion-expose secret (<=\$2,000/from indiv./by threat/breach)	M-1	7	POG1				
3923(a)(3)	Theft by extortion-expose secret (\$200-\$2,000/no threat)	M-1	6	POG1				
3923(a)(3)	Theft by extortion-expose secret (\$50-<\$200/no threat)	M-2	5	POG1				
3923(a)(3)	Theft by extortion-expose secret (<\$50/no threat)	M-3	2	POG1				
3923(a)(4)	Theft by extortion-official action (anhydrous ammonia)	F-2	12	POG3				
3923(a)(4)	Theft by extortion-official action (firearm)	F-2	12	POG3				
3923(a)(4)	Theft by extortion-official action (=>\$500,000)	F-1	12	POG3				
3923(a)(4)	Theft by extortion-official action (\$100,000-<\$500,000)	F-2	10	POG3				
3923(a)(4)*	Theft by extortion-official action (>\$25,000-<\$100,000/or motorized vehicle)	F-3	9	POG2				
3923(a)(4)*	Theft by extortion-official action (>\$2,000-\$25,000)	F-3	8	POG2				
3923(a)(4)	Theft by extortion-official action (<=\$2,000/from indiv./by threat/breach)	M-1	7	POG1				
3923(a)(4)	Theft by extortion-official action (\$200-\$2,000/no threat)	M-1	6	POG1				
3923(a)(4)	Theft by extortion-official action (\$50-<\$200/no threat)	M-2	5	POG1				
3923(a)(4)	Theft by extortion-official action (<\$50/no threat)	M-3	2	POG1				
3923(a)(5)	Theft by extortion-strike/boycott (anhydrous ammonia)	F-2	12	POG3				
3923(a)(5)	Theft by extortion-strike/boycott (firearm)	F-2	12	POG3				
3923(a)(5)	Theft by extortion-strike/boycott (=>\$500,000)	F-1	12	POG3				
3923(a)(5)	Theft by extortion-strike/boycott (\$100,000-<\$500,000)	F-2	10	POG3				
3923(a)(5)*	Theft by extortion-strike/boycott (>\$25,000-<\$100,000/or motorized vehicle)	F-3	9	POG2				
3923(a)(5)*	Theft by extortion-strike/boycott (>\$2,000-\$25,000)	F-3	8	POG2				
3923(a)(5)	Theft by extortion-strike/boycott (<=\$2,000/from indiv./by threat/breach)	M-1	7	POG1				
3923(a)(5)	Theft by extortion-strike/boycott (\$200-\$2,000/no threat)	M-1	6	POG1				
3923(a)(5)	Theft by extortion-strike/boycott (\$50-<\$200/no threat)	M-2	5	POG1				
3923(a)(5)	Theft by extortion-strike/boycott (<\$50/no threat)	M-3	2	POG1				
3923(a)(6)	Theft by extortion-testimony (anhydrous ammonia)	F-2	12	POG3				

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3923(a)(6)	Theft by extortion-testimony (firearm)	F-2	12	POG3				
3923(a)(6)	Theft by extortion-testimony (=>\$500,000)	F-1	12	POG3				
3923(a)(6)	Theft by extortion-testimony (\$100,000-<\$500,000)	F-2	10	POG3				
3923(a)(6)*	Theft by extortion-testimony (>\$25,000-<\$100,000/or motorized vehicle)	F-3	9	POG2				
3923(a)(6)*	Theft by extortion-testimony (>\$2,000-\$25,000)	F-3	8	POG2				
3923(a)(6)	Theft by extortion-testimony (<=\$2,000/from indiv./by threat/breach)	M-1	7	POG1				
3923(a)(6)	Theft by extortion-testimony (\$200-\$2,000/no threat)	M-1	6	POG1				
3923(a)(6)	Theft by extortion-testimony (\$50-<\$200/no threat)	M-2	5	POG1				
3923(a)(6)	Theft by extortion-testimony (<\$50/no threat)	M-3	2	POG1				
3923(a)(7)	Theft by extortion-inflict harm (anhydrous ammonia)	F-2	12	POG3				
3923(a)(7)	Theft by extortion-inflict harm (firearm)	F-2	12	POG3				
3923(a)(7)	Theft by extortion-inflict harm (=>\$500,000)	F-1	12	POG3				
3923(a)(7)	Theft by extortion-inflict harm (\$100,000-<\$500,000)	F-2	10	POG3				
3923(a)(7)*	Theft by extortion-inflict harm (>\$25,000-<\$100,000/or motorized vehicle)	F-3	9	POG2				
3923(a)(7)*	Theft by extortion-inflict harm (>\$2,000-\$25,000)	F-3	7	POG2				
3923(a)(7)	Theft by extortion-inflict harm (<=\$2,000/from indiv./by threat/breach)	M-1	7	POG1				
3923(a)(7)	Theft by extortion-inflict harm (\$200-\$2,000/no threat)	M-1	7	POG1				
3923(a)(7)	Theft by extortion-inflict harm (\$50-<\$200/no threat)	M-2	5	POG1				
3923(a)(7)	Theft by extortion-inflict harm (<\$50/no threat)	M-3	5	POG1				
3924	Theft of property-lost/mislaid (anhydrous ammonia)	F-2	12	POG3				
3924	Theft of property-lost/mislaid (firearm)	F-2	12	POG3				
3924	Theft of property-lost/mislaid (=>\$500,000)	F-1	12	POG3				
3924	Theft of property-lost/mislaid (\$100,000-<\$500,000)	F-2	10	POG3				
3924*	Theft of property-lost/mislaid (>\$25,000-<\$100,000/or motorized vehicle)	F-3	9	POG2				
3924*	Theft of property-lost/mislaid (>\$2,000-\$25,000)	F-3	8	POG2				
3924	Theft of property-lost/mislaid (<=\$2,000/from indiv./by threat/breach)	M-1	7	POG1				
3924	Theft of property-lost/mislaid (\$200-\$2,000/no threat)	M-1	6	POG1				
3924	Theft of property-lost/mislaid (\$50-<\$200/no threat)	M-2	5	POG1				
3924	Theft of property-lost/mislaid (<\$50/no threat)	M-3	2	POG1				
3925(a)	Theft by receiving stolen property (anhydrous ammonia)	F-2	12	POG3				

<i>18 Pa.C.S. §</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Prior Offense Group (POG)</i>	<i>POG3 Article B and VUFA</i>	<i>Megan's Law</i>	<i>Crimes of Violence</i>	<i>Enhance</i>
3925(a)	Theft by receiving stolen property (disaster)	F-2	12	POG3				
3925(a)	Theft by receiving stolen property (firearm/receiver in business)	F-1	13	POG3				
3925(a)	Theft by receiving stolen property (firearm/receiver not in business)	F-2	12	POG3				
3925(a)	Theft of receiving stolen property (=>\$500,000)	F-1	12	POG3				
3925(a)	Theft by receiving stolen property (\$100,000-<\$500,000)	F-2	10	POG3				
3925(a)*	Theft of receiving stolen property (>\$25,000-<\$100,000/or motorized vehicle)	F-3	9	POG2				
3925(a)*	Theft by receiving stolen property (>\$2,000-\$25,000)	F-3	8	POG2				
3925(a)	Theft by receiving stolen property (<=\$2,000/from indiv./by threat/breach)	M-1	7	POG1				
3925(a)	Theft by receiving stolen property (\$200-\$2,000/no threat)	M-1	6	POG1				
3925(a)	Theft by receiving stolen property (\$50-<\$200/no threat)	M-2	5	POG1				
3925(a)	Theft by receiving stolen property (<\$50/no threat)	M-3	2	POG1				
3926(a)(1)	Theft of services-obtain service (anhydrous ammonia)	F-2	12	POG3				
3926(a)(1)	Theft of services-obtain service (firearm)	F-2	12	POG3				
3926(a)(1)	Theft of services-obtain service (=>\$500,000)	F-1	12	POG3				
3926(a)(1)	Theft of services-obtain service (\$100,000-<\$500,000)	F-2	10	POG3				
3926(a)(1)*	Theft of services-obtain service (>\$25,000-<\$100,000/or motorized vehicle)	F-3	9	POG2				
3926(a)(1)*	Theft of services-obtain service (>\$2,000-\$25,000)	F-3	8	POG2				
3926(a)(1)	Theft of services-obtain service (<=\$2,000/from indiv./by threat/breach)	M-1	7	POG1				
3926(a)(1)	Theft of services-obtain service (\$200-\$2,000/no threat)	M-1	6	POG1				
3926(a)(1)	Theft of services-obtain service (\$50-<\$200/no threat)	M-2	5	POG1				
3926(a)(1)	Theft of services-obtain service (<\$50/no threat)	M-3	2	POG1				
3926(a)(1.1)	Theft of services-obtain telecommunications (anhydrous ammonia)	F-2	12	POG3				
3926(a)(1.1)	Theft of services-obtain telecommunications (firearm)	F-2	12	POG3				
3926(a)(1.1)	Theft of services-obtain telecommunications (=>\$500,000)	F-1	12	POG3				
3926(a)(1.1)	Theft of services-obtain telecommunications (\$100,000-<\$500,000)	F-2	10	POG3				

<i>18 Pa.C.S. §</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Prior Offense Group (POG)</i>	<i>POG3 Article B and VUFA</i>	<i>Megan's Law</i>	<i>Crimes of Violence</i>	<i>Enhance</i>
3926(a)(1.1)*	Theft of services-obtain telecommunications (>\$25,000-<\$100,000/for motorized vehicle)	F-3	9	POG2				
3926(a)(1.1)*	Theft of services-obtain telecommunications (>\$2,000-\$25,000)	F-3	8	POG2				
3926(a)(1.1)	Theft of services-obtain telecommunications (<=\$2,000/from indiv./by threat/breach)	M-1	7	POG1				
3926(a)(1.1)	Theft of services-obtain telecommunications (\$200-\$2,000/no threat)	M-1	6	POG1				
3926(a)(1.1)	Theft of services-obtain telecommunications (\$50-<\$200/no threat)	M-2	5	POG1				
3926(a)(1.1)	Theft of services-obtain telecommunications (<\$50/no threat)	M-2	2	POG1				
3926(b)	Theft of services-divert service (anhydrous ammonia)	F-2	12	POG3				
3926(b)	Theft of services-divert service (firearm)	F-2	12	POG3				
3926(b)	Theft of services-divert service (=>\$500,000)	F-1	12	POG3				
3926(b)	Theft of services-divert service (\$100,000-<\$500,000)	F-2	10	POG3				
3926(b)*	Theft of services-divert service (>\$25,000-<\$100,000/or motorized vehicle)	F-3	9	POG2				
3926(b)*	Theft of services-divert service (>\$2,000-\$25,000)	F-3	8	POG2				
3926(b)	Theft of services-divert service (<=\$2,000/from indiv./by threat/breach)	M-1	7	POG1				
3926(b)	Theft of services-divert service (\$200-\$2,000/no threat)	M-1	6	POG1				
3926(b)	Theft of services-divert service (\$50-<\$200/no threat)	M-2	5	POG1				
3926(b)	Theft of services-divert service (<\$50/no threat)	M-3	2	POG1				
3926(e)	Theft of services-transfer device/plan	M-3	2	POG1				
3927(a)	Theft by failure-req. disposition funds (anhydrous ammonia)	F-2	12	POG3				
3927(a)	Theft by failure-req. disposition funds (firearm)	F-2	12	POG3				
3927(a)	Theft by failure-req. disposition funds (=>\$500,000)	F-1	12	POG3				
3927(a)	Theft by failure-req. disposition funds (\$100,000-<\$500,000)	F-2	10	POG3				
3927(a)*	Theft by failure-req. disposition funds (>\$25,000-<\$100,000/or motorized vehicle)	F-3	9	POG2				
3927(a)*	Theft by failure-req. disposition funds (>\$2,000-\$25,000)	F-3	8	POG2				
3927(a)	Theft by failure-req. disposition funds (<=\$2,000/from indiv./by threat/breach)	M-1	7	POG1				
3927(a)	Theft by failure-req. disposition funds (\$200-\$2,000/no threat)	M-1	6	POG1				

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3927(a)	Theft by failure-req. disposition funds (\$50-<\$200/no threat)	M-2	5	POG1				
3927(a)	Theft by failure-req. disposition funds (<\$50/no threat)	M-3	2	POG1				
3928(a)	Unauthorized use of auto	M-2	5	POG1				
3928(a)	Unauthorized use of auto (disaster)	F-2	12	POG3				
3929(a)(1)	Retail theft-take merchandise (>\$1,000/or firearm/motor vehicle)	F-3	7	POG2				
3929(a)(1)	Retail theft-take merchandise (1st/2nd off & >=\$150)	M-1	7	POG1				
3929(a)(1)	Retail theft-take merchandise (2nd off & <\$150)	M-2	5	POG1				
3929(a)(1)	Retail theft-take merchandise (3rd/subseq. off)	F-3	7	POG2				
3929(a)(1)	Retail theft-take merchandise (disaster)	F-2	12	POG3				
3929(a)(2)	Retail theft-alter price (>\$1,000/or firearm/motor vehicle)	F-3	7	POG2				
3929(a)(2)	Retail theft-alter price (1st/2nd off & >=\$150)	M-1	5	POG1				
3929(a)(2)	Retail theft-alter price (2nd off & <\$150)	M-2	5	POG1				
3929(a)(2)	Retail theft-alter price (3rd/subseq. off)	F-3	7	POG2				
3929(a)(2)	Retail theft-alter price (disaster)	F-2	12	POG3				
3929(a)(3)	Retail theft-transfer container (>\$1,000/or firearm/motor vehicle)	F-3	7	POG2				
3929(a)(3)	Retail theft-transfer container (1st/2nd off & >=\$150)	M-1	5	POG1				
3929(a)(3)	Retail theft-transfer container (2nd off & <\$150)	M-2	5	POG1				
3929(a)(3)	Retail theft-transfer container (3rd/subseq. off)	F-3	7	POG2				
3929(a)(3)	Retail theft-transfer container (disaster)	F-2	12	POG3				
3929(a)(4)	Retail theft-under-rings (>\$1,000/or firearm/motor vehicle)	F-3	7	POG2				
3929(a)(4)	Retail theft-under-rings (1st/2nd off & >=\$150)	M-1	5	POG1				
3929(a)(4)	Retail theft-under-rings (2nd off & <\$150)	M-2	5	POG1				
3929(a)(4)	Retail theft-under-rings (3rd/subseq. off)	F-3	7	POG2				
3929(a)(4)	Retail theft-under-rings (disaster)	F-2	12	POG3				
3929(a)(5)	Retail theft-tamper w/ inventory tag (>\$1,000/or firearm/motor vehicle)	F-3	7	POG2				
3929(a)(5)	Retail theft-tamper w/ inventory tag (1st/2nd off & >=\$150)	M-1	5	POG1				
3929(a)(5)	Retail theft-tamper w/ inventory tag (2nd off & <\$150)	M-2	5	POG1				
3929(a)(5)	Retail theft-tamper w/ inventory tag (3rd/subseq. off)	F-3	7	POG2				
3929(a)(5)	Retail theft-tamper w/ inventory tag (disaster)	F-2	12	POG3				
3929.1(a)	Library Theft (1st/2nd off & >=\$150)	M-1	7	POG2				

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3929.1(a)	Library Theft (2nd off & <\$150)	M-2	5	POG1				
3929.1(a)	Library Theft (3rd/subseq. off)	F-3	7	POG2				
3929.2(a)	Unlawful possession-retail/library theft instruments	M-1	7	POG1				
3929.3(a)	Organized retail theft (>=\$20,000)	F-2	10	POG3				
3929.3(a)	Organized retail theft (\$5,000-\$19,999)	F-3	9	POG2				
3930(a)(1)	Theft of trade secrets-by force	F-2	10	POG3				
3930(a)(2)	Theft of trade secrets-willful entry of building	F-2	10	POG3				
3930(a)(3)	Theft of trade secrets-willful access of computer	F-2	10	POG3				
3930(b)(1)	Theft of trade secrets-unlawful possession	F-3	7	POG2				
3930(b)(2)	Theft of trade secrets-unlawful conversion to own use	F-3	7	POG2				
3931	Theft of unpublished drama, etc. (>\$2,000)	F-3	8	POG2				
3931	Theft of unpublished drama, etc. (<=\$2,000/from indiv./by threat/breach)	M-1	7	POG1				
3931	Theft of unpublished drama, etc. (\$200-\$2,000/no threat)	M-1	6	POG1				
3931	Theft of unpublished drama, etc. (\$50-<\$200/no threat)	M-2	5	POG1				
3931	Theft of unpublished drama, etc. (<\$50/no threat)	M-3	2	POG1				
3932(a)	Theft of leased property (anhydrous ammonia)	F-2	12	POG3				
3932(a)	Theft of leased property (firearm)	F-2	12	POG3				
3932(a)	Theft of leased property (=>\$500,000)	F-1	12	POG3				
3932(a)	Theft of leased property (\$100,000-<\$500,000)	F-2	10	POG3				
3932(a)*	Theft of leased property (>\$25,000-<\$100,000/or motorized vehicle)	F-3	9	POG2				
3932(a)*	Theft of leased property (>\$2,000-\$25,000)	F-3	8	POG2				
3932(a)	Theft of leased property (<=\$2,000/from indiv./by threat/breach)	M-1	7	POG1				
3932(a)	Theft of leased property (\$200-\$2,000/no threat)	M-1	6	POG1				
3932(a)	Theft of leased property (\$50-<\$200/no threat)	M-2	5	POG1				
3932(a)	Theft of leased property (<\$50/no threat)	M-3	2	POG1				
3934(a)	Theft from a motor vehicle (3rd/subseq. w/in 5 yrs.)	F-3	9	POG2				
3934(a)	Theft from a motor vehicle (>\$200)	M-1	7	POG1				
3934(a)	Theft from a motor vehicle (>=\$50-<\$200)	M-2	5	POG1				
3934(a)	Theft from a motor vehicle (<\$50)	M-3	2	POG1				
3935.1(a)	Theft of secondary metal (<\$50)	M-3	2	POG1				
3935.1(a)	Theft of secondary metal (\$50-<\$200)	M-2	5	POG1				
3935.1(a)	Theft of secondary metal (\$200-<\$1,000)	M-1	7	POG1				

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3935.1(a)	Theft of secondary metal (\$=>\$1,000)	F-3	7	POG2				
3935.1(a)	Theft of secondary metal (third/subseq. offense)	F-3	7	POG2				
4101(a)(1)	Forgery-altered writing (money/stocks/govt docs/etc.)	F-2	7	POG3				
4101(a)(1)	Forgery-altered writing (will//deed/other legal doc)	F-3	7	POG2				
4101(a)(1)	Forgery-altered writing (other)	M-1	7	POG1				
4101(a)(2)	Forgery-unauthorized writing (money/stocks/govt docs/etc.)	F-2	7	POG3				
4101(a)(2)	Forgery-unauthorized writing (will//deed/other legal doc)	F-3	7	POG2				
4101(a)(2)	Forgery-unauthorized writing (other)	M-1	7	POG1				
4101(a)(3)	Forgery-utter forged writing (money/stocks/govt docs/etc.)	F-2	7	POG3				
4101(a)(3)	Forgery-utter forged writing (will//deed/other legal doc)	F-3	7	POG2				
4101(a)(3)	Forgery-utter forged writing (other)	M-1	7	POG1				
4102	Simulating objects of antiquity	M-1	7	POG1				
4103	Fraudulent destruction of recordable instruments	F-3	7	POG2				
4104(a)	Tampering w/ records or identification	M-1	7	POG1				
4105(a)(1)	Bad checks-issues/passes check (=>\$75,000)	F-3	7	POG2				
4105(a)(1)	Bad checks-issues/passes check (\$1,000-<\$75,000)	M-1	7	POG1				
4105(a)(1)	Bad checks-issues/passes check (\$500-<\$1,000)	M-2	5	POG1				
4105(a)(1)	Bad checks-issues/passes check (\$200-<\$500)	M-3	5	POG1				
4105(a)(1)	Bad checks-issues/passes check (3rd/subseq. off & <\$75,000)	M-1	7	POG1				
4105(a)(2)	Bad checks-issues/passes check in Commonwealth (=>\$75,000)	F-3	7	POG2				
4105(a)(2)	Bad checks-issues/passes check in Commonwealth (\$1,000-<\$75,000)	M-1	7	POG1				
4105(a)(2)	Bad checks-issues/passes check in Commonwealth (\$500-<\$1,000)	M-2	5	POG1				
4105(a)(2)	Bad checks-issues/passes check in Commonwealth (\$200-<\$500)	M-3	5	POG1				
4105(a)(2)	Bad checks-issues/passes check in Commonwealth (3rd/subseq. off & <\$75,000)	M-1	7	POG1				
4106(a)(1)(i)	Access device fraud-altered/counterfeit device (>=\$500)	F-3	7	POG2				
4106(a)(1)(i)	Access device fraud-altered/counterfeit device (\$50-<\$500)	M-1	7	POG1				
4106(a)(1)(i)	Access device fraud-altered/counterfeit device (<\$50)	M-2	6	POG1				

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4106(a)(1)(ii)	Access device fraud-Unauthorized use of device (>\$500)	F-3	7	POG2				
4106(a)(1)(iii)	Access device fraud-Unauthorized use of device (\$50-<\$500)	M-1	7	POG1				
4106(a)(1)(ii)	Access device fraud-Unauthorized use of device (<\$50)	M-2	7	POG1				
4106(a)(1)(iii)	Access device fraud-device revoked/cancelled (>=\$500)	F-3	7	POG2				
4106(a)(1)(iii)	Access device fraud-device revoked/cancelled (\$50-<\$500)	M-1	7	POG1				
4106(a)(1)(iii)	Access device fraud-device revoked/cancelled (<\$50)	M-2	7	POG1				
4106(a)(1)(iv)	Access device fraud-other (>=\$500)	F-3	7	POG2				
4106(a)(1)(iv)	Access device fraud-other (\$50-<\$500)	M-1	7	POG1				
4106(a)(1)(iv)	Access device fraud-other (<\$50)	M-2	7	POG1				
4106(a)(2)	Access device fraud-publishes/makes/sells illegal device	F-3	7	POG2				
4106(a)(3)	Access device fraud-knowingly possesses illegal device	M-3	5	POG1				
4106.1(a)(1)	Unlawful device-making equipment (produces/traffics)	F-3	9	POG2				
4106.1(a)(2)	Unlawful device-making equipment (possesses)	M-1	7	POG1				
4107(a)(1)	Deceptive business practices-false weight/measure (>\$2,000)	F-3	7	POG2				
4107(a)(1)	Deceptive business practices-false weight/measure (\$200-\$2,000)	M-1	7	POG1				
4107(a)(1)	Deceptive business practices-false weight/measure (<\$200/amt unk)	M-2	5	POG1				
4107(a)(1)	Deceptive business practices-false weight/measure (>\$2,000 & victim >=60 yrs.)	F-2	10	POG3				
4107(a)(1)	Deceptive business practices-false weight/measure (\$200-\$2,000 & victim >=60 yrs.)	F-3	7	POG2				
4107(a)(1)	Deceptive business practices-false weight/measure (<\$200/amt unk & victim >=60 yrs.)	M-1	7	POG1				
4107(a)(2)	Deceptive business practices-sells < rep. quantity (>\$2,000)	F-3	7	POG2				
4107(a)(2)	Deceptive business practices-sells < rep. quantity (\$200-\$2,000)	M-1	7	POG1				
4107(a)(2)	Deceptive business practices-sells < rep. quantity (<\$200/amt unk)	M-2	5	POG1				
4107(a)(2)	Deceptive business practices-sells < rep. quantity (>\$2,000 & victim >=60 yrs.)	F-2	10	POG3				
4107(a)(2)	Deceptive business practices-sells < rep. quantity (\$200-\$2,000 & victim >=60 yrs.)	F-3	7	POG2				
4107(a)(2)	Deceptive business practices-sells < rep. quantity (<\$200/amt unk & victim >=60 yrs.)	M-1	7	POG1				

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4107(a)(3)	Deceptive business practices-take > rep. quantity (>\$2,000)	F-3	7	POG2				
4107(a)(3)	Deceptive business practices-take > rep. quantity (\$200-\$2,000)	M-1	7	POG1				
4107(a)(3)	Deceptive business practices-take > rep. quantity (<\$200/amt unk)	M-2	5	POG1				
4107(a)(3)	Deceptive business practices-take > rep. quantity (>\$2,000 & victim >=60 yrs.)	F-2	10	POG3				
4107(a)(3)	Deceptive business practices-take > rep. quantity (\$200-\$2,000 & victim >=60 yrs.)	F-3	7	POG2				
4107(a)(3)	Deceptive business practices-take > rep. quantity (<\$200/amt unk & victim >=60 yrs.)	M-1	7	POG1				
4107(a)(4)	Deceptive business practices-sell adulterated goods (>\$2,000)	F-3	7	POG2				
4107(a)(4)	Deceptive business practices-sell adulterated goods (\$200-\$2,000)	M-1	7	POG1				
4107(a)(4)	Deceptive business practices-sell adulterated goods (<\$200/amt unk)	M-2	5	POG1				
4107(a)(4)	Deceptive business practices-sell adulterated goods (>\$2,000 & victim >=60 yrs.)	F-2	10	POG3				
4107(a)(4)	Deceptive business practices-sell adulterated goods (\$200-\$2,000 & victim >=60 yrs.)	F-3	7	POG2				
4107(a)(4)	Deceptive business practices-sell adulterated goods (<\$200/amt unk & victim >=60 yrs.)	M-1	7	POG1				
4107(a)(5)	Deceptive business practices-false advertisement (>\$2,000)	F-3	7	POG2				
4107(a)(5)	Deceptive business practices-false advertisement (\$200-\$2,000)	M-1	7	POG1				
4107(a)(5)	Deceptive business practices-false advertisement (<\$200/amt unk)	M-2	5	POG1				
4107(a)(5)	Deceptive business practices-false advertisement (>\$2,000 & victim >=60 yrs.)	F-2	10	POG3				
4107(a)(5)	Deceptive business practices-false advertisement (\$200-\$2,000 & victim >=60 yrs.)	F-3	7	POG2				
4107(a)(5)	Deceptive business practices-false advertisement (<\$200/amt unk & victim >=60 yrs.)	M-1	7	POG1				
4107(a)(6)	Deceptive business practices-false statement to obtain credit (>\$2,000)	F-3	7	POG2				
4107(a)(6)	Deceptive business practices-false statement to obtain credit (\$200-\$2,000)	M-1	7	POG1				

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4107(a)(6)	Deceptive business practices-false statement to obtain credit (<\$200/amt unk)	M-2	5	POG1				
4107(a)(6)	Deceptive business practices-false statement to obtain credit (>\$2,000 & victim >=60 yrs.)	F-2	10	POG3				
4107(a)(6)	Deceptive business practices-false statement to obtain credit (\$200-\$2,000 & victim >=60 yrs.)	F-3	7	POG2				
4107(a)(6)	Deceptive business practices-false statement to obtain credit (<\$200/amt unk & victim >=60 yrs.)	M-1	7	POG1				
4107(a)(7)	Deceptive business practices-false statement to sell securities (>\$2,000)	F-3	7	POG2				
4107(a)(7)	Deceptive business practices-false statement to sell securities (\$200-\$2,000)	M-1	7	POG1				
4107(a)(7)	Deceptive business practices-false statement to sell securities (<\$200/amt unk)	M-2	5	POG1				
4107(a)(7)	Deceptive business practices-false statement to sell securities (>\$2,000 & victim >=60 yrs.)	F-2	10	POG3				
4107(a)(7)	Deceptive business practices-false statement to sell securities (\$200-\$2,000 & victim >=60 yrs.)	F-3	7	POG2				
4107(a)(7)	Deceptive business practices-false statement to sell securities (<\$200/amt unk & victim >=60 yrs.)	M-1	7	POG1				
4107(a)(8)	Deceptive business practices-false statement to investor (>\$2,000)	F-3	7	POG2				
4107(a)(8)	Deceptive business practices-false statement to investor (\$200-\$2,000)	M-1	7	POG1				
4107(a)(8)	Deceptive business practices-false statement to investor (<\$200/amt unk)	M-2	5	POG1				
4107(a)(8)	Deceptive business practices-false statement to investor (>\$2,000 & victim >=60 yrs.)	F-2	10	POG3				
4107(a)(8)	Deceptive business practices-false statement to investor (\$200-\$2,000 & victim >=60 yrs.)	F-3	7	POG2				
4107(a)(8)	Deceptive business practices-false statement to investor (<\$200/amt unk & victim >=60 yrs.)	M-1	7	POG1				
4107(a)(9)	Deceptive business practices-false statement via phone (>\$2,000)	F-3	7	POG2				
4107(a)(9)	Deceptive business practices-false statement via phone (\$200-\$2,000)	M-1	7	POG1				
4107(a)(9)	Deceptive business practices-false statement via phone (<\$200/amt unk)	M-2	5	POG1				
4107(a)(9)	Deceptive business practices-false statement via phone (>\$2,000 & victim >=60 yrs.)	F-2	10	POG3				

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4107(a)(9)	Deceptive business practices-false statement via phone (\$200-\$2,000 & victim >=60 yrs.)	F-3	7	POG2				
4107(a)(9)	Deceptive business practices-false statement via phone (<\$200/amt unk & victim >=60 yrs.)	M-1	7	POG1				
4107.1(a)	Deception relating to kosher food products	M-3	2	POG1				
4107.2(a)(1)	Deception minority/women's business-fraud to obtain certif.	F-3	7	POG2				
4107.2(a)(2)	Deception minority/women's business-false statement to deny certif.	F-3	7	POG2				
4107.2(a)(3)	Deception minority/women's business-obstruct investigation for certif.	F-3	7	POG2				
4107.2(a)(4)	Deception minority/women's business-fraudulent obtain public money	F-3	7	POG2				
4108(a)	Commercial bribery/breach of duty-corrupt employee/agent/fiduciary	M-2	5	POG1				
4108(b)	Commercial bribery/breach of duty-corrupt disinterested person	M-2	5	POG1				
4108(c)	Commercial bribery/breach of duty-solicitation	M-2	5	POG1				
4109(a)(1)	Rigging publicly exhibited contest-confer benefit/threaten injury	M-1	7	POG1				
4109(a)(2)	Rigging publicly exhibited contest-tamper w/ person/animal/thing	M-1	7	POG1				
4109(b)	Rigging publicly exhibited contest-solicit/accept benefit for rigging	M-1	7	POG1				
4109(c)	Rigging publicly exhibited contest-participate in rigged contest	M-1	7	POG1				
4110	Defrauding secured creditors	M-2	5	POG1				
4111	Fraud in Insolvency	M-2	5	POG1				
4111(1)	Fraud in insolvency-destroys/etc. property to obstruct creditor claim	M-2	5	POG1				
4111(2)	Fraud in insolvency-falsify writing/record of property	M-2	5	POG1				
4111(3)	Fraud in insolvency-knowingly misrepresent/refuse to disclose property	M-2	5	POG1				
4112	Receiving deposits in failing financial institution	M-2	5	POG1				
4113(a)	Misapplication of entrusted property (>\$50)	M-2	5	POG1				
4113(a)	Misapplication of entrusted property (<=\$50)	M-3	2	POG1				
4114	Securing execution of documents by deception	M-2	5	POG1				
4115	Falsely impersonating persons privately employed	M-2	5	POG1				

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4116(b)(1)	Copying; recording devices-knowingly transfer sounds for profit (100+ motion pict./1000+ recordings)	F-3	7	POG2				
4116(b)(1)	Copying; recording devices-knowingly transfer sounds for profit (100+ motion pict./1000+ recordings and 2nd/subseq. off)	F-2	11	POG3				
4116(b)(1)	Copying; recording devices-knowingly transfer sounds for profit (any other 1st off)	M-1	7	POG1				
4116(b)(1)	Copying; recording devices-knowingly transfer sounds for profit (any other 2nd/subseq. off)	F-3	7	POG2				
4116(b)(2)	Copying; recording devices-manufacture/etc. w/ knowledge of transfer (100+ motion pict./1000+ recordings)	F-3	7	POG2				
4116(b)(2)	Copying; recording devices-manufacture/etc. w/ knowledge of transfer (100+ motion pict./1000+ recordings and 2nd/subseq. off)	F-2	11	POG3				
4116(b)(2)	Copying; recording devices-manufacture/etc. w/ knowledge of transfer (any other 1st off)	M-1	7	POG1				
4116(b)(2)	Copying; recording devices-manufacture/etc. w/ knowledge of transfer (any other 2nd/subseq. off)	F-3	7	POG2				
4116(d)	Copying; recording devices-sell/rent illegal recording device (100+ motion pict./1000+ recordings)	F-3	7	POG2				
4116(d)	Copying; recording devices-sell/rent illegal recording device (100+ motion pict./1000+ recordings and 2nd/subseq. off)	F-2	11	POG3				
4116(d)	Copying; recording devices-sell/rent illegal recording device (any other 1st off)	M-1	7	POG1				
4116(d)	Copying; recording devices-sell/rent illegal recording device (any other 2nd/subseq. off)	F-3	7	POG2				
4116(d.1)(1)	Copying; recording devices-sell/rent live recording w/o owner consent (100+ motion pict./1000+ recordings)	F-3	7	POG2				
4116(d.1)(1)	Copying; recording devices-sell/rent live recording w/o owner consent (100+ motion pict./1000+ recordings and 2nd/subseq. off)	F-2	11	POG3				
4116(d.1)(1)	Copying; recording devices-sell/rent live recording w/o owner consent (any other 1st off)	M-1	7	POG1				
4116(d.1)(1)	Copying; recording devices-sell/rent live recording w/o owner consent (any other 2nd/subseq. off)	F-3	7	POG2				
4116(e)	Copying; recording devices-mfr. name on packaging (100+ motion pict./1000+ recordings)	F-3	7	POG2				
4116(e)	Copying; recording devices-mfr. name on packaging (100+ motion pict./1000+ recordings & 2nd/subseq. off)	F-2	11	POG3				

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4116(e)	Copying; recording devices-mfr. name on packaging (any other 1st off)	M-1	7	POG1				
4116(e)	Copying; recording devices-mfr. name on packaging (any other 2nd/subseq. off)	F-3	7	POG2				
4116.1(a)	Unlawful use of recording device in movie theater (1st off)	M-1	7	POG1				
4116.1(a)	Unlawful use of recording device in movie theater (2nd/subseq. off)	F-3	7	POG2				
4117(a)(1)	Insurance fraud-false document to gvt. agency for ins. rate	F-3	7	POG2				
4117(a)(2)	Insurance fraud-false insurance claim	F-3	7	POG2				
4117(a)(3)	Insurance fraud-assist/conspire/etc. in false insurance claim	F-3	7	POG2				
4117(a)(4)	Insurance fraud-unlicensed agent activity	F-3	7	POG2				
4117(a)(5)	Insurance fraud-knowingly benefits from proceeds	F-3	7	POG2				
4117(a)(6)	Insurance fraud-health care facility allows insurance fraud	F-3	7	POG2				
4117(a)(7)	Insurance fraud-borrows/uses another's ins. ID w/ intent to defraud	F-3	7	POG2				
4117(a)(8)	Insurance fraud-direct/indirect solicitation for pecuniary gain	F-3	7	POG2				
4117(b)(1)	Insurance fraud-unlawful compensation by attorney	M-1	7	POG1				
4117(b)(2)	Insurance fraud-unlawful compensation by provider	M-1	7	POG1				
4117(b)(3)	Insurance fraud-unlawful compensation for patient referral	M-1	7	POG1				
4117(b)(4)	Insurance fraud-false insurance application	M-1	7	POG1				
4118	Washing vehicle titles	F-3	7	POG2				
4119(a)(1)	Trademark counterfeiting-mfr.	M-1	7	POG1				
4119(a)(1)	Trademark counterfeiting-mfr. (prev conv/>100 items-<1000 items/>\$2,000-<\$10,000 value)	F-3	7	POG2				
4119(a)(1)	Trademark counterfeiting-mfr. (2+ prev conv/mfr. of items/>=1000 items/>\$10,000 value)	F-2	10	POG3				
4119(a)(2)	Trademark counterfeiting-sells	M-1	7	POG1				
4119(a)(2)	Trademark counterfeiting-sells (prev conv/>100 items-<1000 items/>\$2,000-<\$10,000 value)	F-3	7	POG2				
4119(a)(2)	Trademark counterfeiting-sells (2+ prev conv/mfr. of items/>=1000 items/>\$10,000 value)	F-2	10	POG3				
4119(a)(3)	Trademark counterfeiting-offers for sale	M-1	7	POG1				

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4119(a)(3)	Trademark counterfeiting-offers for sale (prev conv/>100 items-<1000 items/>\$2,000-<\$10,000 value)	F-3	7	POG2				
4119(a)(3)	Trademark counterfeiting-offers for sale (2+ prev conv/mfr. of items/>=1000 items/>\$10,000 value)	F-2	10	POG3				
4119(a)(4)	Trademark counterfeiting-displays	M-1	7	POG1				
4119(a)(4)	Trademark counterfeiting-displays (prev conv/>100 items-<1000 items/>\$2,000-<\$10,000 value)	F-3	7	POG2				
4119(a)(4)	Trademark counterfeiting-displays (2+ prev conv/mfr. of items/>=1000 items/>\$10,000 value)	F-2	10	POG3				
4119(a)(5)	Trademark counterfeiting-advertises	M-1	7	POG1				
4119(a)(5)	Trademark counterfeiting-advertises (prev conv/>100 items-<1000 items/>\$2,000-<\$10,000 value)	F-3	7	POG2				
4119(a)(5)	Trademark counterfeiting-advertises (2+ prev conv/mfr. of items/>=1000 items/>\$10,000 value)	F-2	10	POG3				
4119(a)(6)	Trademark counterfeiting-distributes	M-1	7	POG1				
4119(a)(6)	Trademark counterfeiting-distributes (prev conv/>100 items-<1000 items/>\$2,000-<\$10,000 value)	F-3	7	POG2				
4119(a)(6)	Trademark counterfeiting-distributes (2+ prev conv/mfr. of items/>=1000 items/>\$10,000 value)	F-2	10	POG3				
4119(a)(7)	Trademark counterfeiting-transports	M-1	7	POG1				
4119(a)(7)	Trademark counterfeiting-transports (prev conv/>100 items-<1000 items/>\$2,000-<\$10,000 value)	F-3	7	POG2				
4119(a)(7)	Trademark counterfeiting-transports (2+ prev conv/mfr. of items/>=1000 items/>\$10,000 value)	F-2	10	POG3				
4120(a)	Identity theft (>=\$2,000)	F-3	7	POG2				
4120(a)	Identity theft (<\$2,000)	M-1	7	POG1				
4120(a)	Identity theft (3rd/subseq. off)	F-2	11	POG3				
4120(a)	Identity theft (furtherance of conspiracy)	F-3	7	POG2				
4120(a)	Identity theft (>=\$2,000 and victim >=60 yrs./care-dependent)	F-2	10	POG3				
4120(a)	Identity theft (<\$2,000 and victim >=60 yrs./care-dependent)	F-3	7	POG2				
4120(a)	Identity theft (3rd/subseq. off and victim >=60 yrs./care-dependent)	F-1	13	POG3				
4120(a)	Identity theft (furtherance of conspiracy and victim >=60 yrs./care-dependent)	F-2	10	POG3				
4120(a)	Identity theft (<\$2,000 and victim <18 yrs.)	F-3	7	POG2				
4120(a)	Identity theft (>=\$2,000 and victim <18 yrs.)	F-2	10	POG3				

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4120(a)	Identity theft (3rd/subseq. off and victim <18 yrs.)	F-1	13	POG3				
4120(a)	Identity theft (furtherance of conspiracy and victim <18 yrs.)	F-2	10	POG3				
4121(a)(1)(i)	Possession and use of unlawful device-intent to defraud (access, read, etc)	F-3	7	POG2				
4121(a)(1)(i)	Possession and use of unlawful device-intent to defraud (access, read, etc.) (2nd/subseq. offense)	F-2	11	POG3				
4121(a)(1)(ii)	Possession and use of unlawful device-intent to defraud (places information)	F-3	7	POG2				
4121(a)(1)(ii)	Possession and use of unlawful device-intent to defraud (places information) (2nd/subseq. offense)	F-2	11	POG3				
4121(a)(2)	Possession and use of unlawful device-knowingly possesses, sells or delivers device	F-3	7	POG2				
4121(a)(2)	Possession and use of unlawful device-knowingly possesses, sells or delivers device (2nd/subseq. offense)	F-2	11	POG3				
PART II								
4301(a)	Bigamy (by married person)	M-2	5	POG1				
4301(b)	Bigamy (knowing other person committing bigamy)	M-2	5	POG1				
4302(a)	Incest (victim > 18 yrs.)	F-2	13	POG4			x	
4302(b)(1)	Incest-of a minor (victim <13 yrs.)	F-2	14	POG4		x	x	x
4302(b)(2)	Incest-of a minor (victim 13-18 yrs. and offender at least 4 yrs. older)	F-2	14	POG4		x	x	x
4303(a)	Concealing death of child	M-1	5	POG1				
4304(a)(1)	Endangering welfare of children-violate duty of care	M-1	7	POG1				
4304(a)(1)	Endangering welfare of children-violate duty of care (child <6 yrs.)	F-3	9	POG2				
4304(a)(1)	Endangering welfare of children-violate duty of care (course of conduct)	F-3	9	POG2				
4304(a)(1)	Endangering welfare of children-violate duty of care (course of conduct & child <6 yrs.)	F-2	13	POG3				
4304(a)(1)	Endangering welfare of children-violate duty of care: substantial risk of death/SBI	F-3	9	POG2				
4304(a)(1)	Endangering welfare of children-violate duty of care: substantial risk of death/SBI (child < 6 yrs.)	F-2	13	POG3				
4304(a)(1)	Endangering welfare of children-violate duty of care: substantial risk of death/SBI (course of conduct)	F-2	13	POG3				
4304(a)(1)	Endangering welfare of children-violate duty of care: substantial risk of death/SBI (course of conduct & child < 6 yrs.)	F-1	13	POG3				

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4304(a)(2)	Endangering welfare of children-official prevents/interferes w/ reporting	M-1	7	POG1				
4304(a)(2)	Endangering welfare of children-official prevents/interferes w/ reporting (child <6 yrs.)	F-3	8	POG2				
4304(a)(2)	Endangering welfare of children-official prevents/interferes w/ reporting (course of conduct)	F-3	8	POG2				
4304(a)(2)	Endangering welfare of children-official prevents/interferes w/ reporting (course of conduct & child <6 yrs.)	F-2	13	POG3				
4305	Dealing in infant children	M-1	7	POG1				
PART II	ARTICLE E							
4701(a)(1)	Bribery in official & political matters-pecuniary benefit as public servant	F-3	9	POG2				
4701(a)(2)	Bribery in official & political matters-benefit for judicial/admin./legis. proceedings	F-3	9	POG2				
4701(a)(3)	Bribery in official & political matters-benefit for legal duty as public servant	F-3	9	POG2				
4702(a)(1)	Threats-to influence decision as public servant	M-2	5	POG1				
4702(a)(1)	Threats-to influence decision as public servant (threat to commit crime)	F-3	9	POG2				
4702(a)(2)	Threats-to influence decision in judicial/admin. proceedings	M-2	5	POG1				
4702(a)(2)	Threats-to influence decision in judicial/admin. proceedings (threat to commit crime)	F-3	9	POG2				
4702(a)(3)	Threats-harm for legal duty as public servant	M-2	5	POG1				
4702(a)(3)	Threats-harm for legal duty as public servant (threat to commit crime)	F-3	9	POG2				
4703	Retaliation for past official action	M-2	5	POG1				
4902(a)	Perjury	F-3	7	POG2				
4903(a)(1)	False swearing in official matters-in official proceeding	M-2	5	POG1				
4903(a)(2)	False swearing in official matters-to mislead public servant	M-2	5	POG1				
4903(b)	False swearing-statement required to be sworn	M-3	5	POG1				
4904(a)(1)	Unsworn falsification to authorities-written statement	M-2	5	POG1				
4904(a)(2)	Unsworn falsification to authorities-relies on false writing	M-2	5	POG1				
4904(a)(3)	Unsworn falsification to authorities-relies on false specimen/map/boundary, etc.	M-2	5	POG1				

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4904(b)	Unsworn falsification to authorities-statement under penalty	M-3	5	POG1				
4905(a)	False alarms to agency of public safety	M-1	5	POG1				
4905(a)	False alarms to agency of public safety (state of emergency)	F-3	7	POG2				
4906(a)	False reports-falsely incriminate another	M-2	5	POG1				
4906(a)	False reports-falsely incriminate another (report of theft/loss of firearm)	M-1	5	POG1				
4906(a)	False reports-falsely incriminate another (state of emergency)	M-1	5	POG1				
4906(b)(1)	False reports-fictitious report to law enforcement	M-3	5	POG1				
4906(b)(1)	False reports-fictitious report to law enforcement (report of theft/loss of firearm)	M-2	5	POG1				
4906(b)(1)	False reports-fictitious report to law enforcement (state of emergency)	M-2	5	POG1				
4906(b)(2)	False reports-fictitious report of information	M-3	5	POG1				
4906(b)(2)	False reports-fictitious report of information (report of theft/loss of firearm)	M-2	5	POG1				
4906(b)(2)	False reports-fictitious report of information (state of emergency)	M-2	5	POG1				
4906.1	False reports of child abuse	M-2	5	POG1				
4909	Witness or informant taking bribe	F-3	7	POG2				
4910(1)	Tampering w/ physical evidence-intent to impair availability	M-2	5	POG1				
4910(2)	Tampering w/ physical evidence-false record etc.	M-2	5	POG1				
4911(a)(1)	Tampering w/ public records-false entry/govt. doc	M-2	5	POG1				
4911(a)(1)	Tampering w/ public records-false entry/govt. doc. (to defraud)	F-3	7	POG2				
4911(a)(2)	Tampering w/ public records-presenting false document	M-2	5	POG1				
4911(a)(2)	Tampering w/ public records-presenting false document (to defraud)	F-3	7	POG2				
4911(a)(3)	Tampering w/ public records-intent to impair doc. availability	M-2	5	POG1				
4911(a)(3)	Tampering w/ public records-intent to impair doc. availability (to defraud)	F-3	7	POG2				
4912	Impersonating a public servant	M-2	5	POG1				
4913(a)	Impersonating a notary public	M-2	5	POG1				
4913(a)	Impersonating a notary public (intent to harm/defraud)	M-1	5	POG1				

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4913(a)	Impersonating a doctor of medicine (provides medical advice or treatment)	M-1	5	POG1				
4914(a)	False identification to law enforcement authorities	M-3	5	POG1				
4915.1(a)(1)	Fail to register with PSP-15 yr. registration (1st off)	F-3	9	POG2				
4915.1(a)(1)	Fail to register with PSP-15 yr. registration (2nd/subseq. off)	F-2	12	POG3				
4915.1(a)(1)	Fail to register with PSP-25 yr. registration (1st off)	F-2	12	POG3				
4915.1(a)(1)	Fail to register with PSP-25 yr. registration (2nd/subseq. off)	F-1	16	POG3				
4915.1(a)(1)	Fail to register with PSP-lifetime registration (1st off)	F-2	12	POG3				
4915.1(a)(1)	Fail to register with PSP-lifetime registration (2nd/subseq. off)	F-1	16	POG3				
4915.1(a)(2)	Fail to verify address/be photo'd-15 yr. registration (1st off)	F-3	9	POG2				
4915.1(a)(2)	Fail to verify address/be photo'd-15 yr. registration (2nd/subseq. off)	F-2	13	POG3				
4915.1(a)(2)	Fail to verify address/be photo'd-25 yr. registration (1st off)	F-2	12	POG3				
4915.1(a)(2)	Fail to verify address/be photo'd-25 yr. registration (2nd/subseq. off)	F-1	16	POG3				
4915.1(a)(2)	Fail to verify address/be photo'd-lifetime registration (1st off)	F-2	12	POG3				
4915.1(a)(2)	Fail to verify address/be photo'd-lifetime registration (2nd/subseq. off)	F-1	16	POG3				
4915.1(a)(3)	Fail to provide accurate information-15 yr. registration	F-2	12	POG3				
4915.1(a)(3)	Fail to provide accurate information-25 yr. registration	F-1	15	POG3				
4915.1(a)(3)	Fail to provide accurate information-lifetime registration	F-1	15	POG3				
4915.1(a.1)(1)	Fail to register with PSP: transient-15 yr. registration (1st off)	F-3	9	POG2				
4915.1(a.1)(1)	Fail to register with PSP: transient-15 yr. registration (2nd/subseq. off)	F-2	13	POG3				
4915.1(a.1)(1)	Fail to register with PSP: transient-25 yr. registration (1st off)	F-2	12	POG3				
4915.1(a.1)(1)	Fail to register with PSP: transient-25 yr. registration (2nd/subseq. off)	F-1	16	POG3				
4915.1(a.1)(1)	Fail to register with PSP: transient-lifetime registration (1st off)	F-2	12	POG3				
4915.1(a.1)(1)	Fail to register with PSP: transient-lifetime registration (2nd/subseq. off)	F-1	16	POG3				

<i>18 Pa.C.S. §</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Prior Offense Group (POG)</i>	<i>POG3 Article B and VUFA</i>	<i>Megan's Law</i>	<i>Crimes of Violence</i>	<i>Enhance</i>
4915.1(a.1)(2)	Fail to verify address/be photo'd; transient-15 yr. registration (1st off)	F-3	9	POG2				
4915.1(a.1)(2)	Fail to verify address/be photo'd; transient-15 yr. registration (2nd/subseq. off)	F-2	13	POG3				
4915.1(a.1)(2)	Fail to verify address/be photo'd; transient-25 yr. registration (1st off)	F-2	12	POG3				
4915.1(a.1)(2)	Fail to verify address/be photo'd; transient-25 yr. registration (2nd/subseq. off)	F-1	16	POG3				
4915.1(a.1)(2)	Fail to verify address/be photo'd; transient-lifetime registration (1st off)	F-2	12	POG3				
4915.1(a.1)(2)	Fail to verify address/be photo'd; transient-lifetime registration (2nd/subseq. off)	F-1	16	POG3				
4915.1(a.1)(3)	Fail to provide accurate info.; transient-15 yr. registration	F-2	12	POG3				
4915.1(a.1)(3)	Fail to provide accurate info.; transient-25 yr. registration	F-1	15	POG3				
4915.1(a.1)(3)	Fail to provide accurate info.; transient-lifetime registration	F-1	15	POG3				
4915.1(a.2)(1)	Fail to comply w/ SVP outpatient review/counseling	M-1	7	POG1				
4915.1(a.2)(2)	Fail to comply w/ counseling req. from other jurisdiction	M-1	7	POG1				
4915.2(a)(1)	Fail to register—10-year registration	F-3	9	POG2				
4915.2(a)(1)	Fail to register—10-year registration (2nd/subseq. off)	F-2	12	POG3				
4915.2(a)(1)	Fail to register—lifetime registration	F-2	12	POG3				
4915.2(a)(1)	Fail to register—lifetime registration (2nd/subseq. off)	F-1	16	POG3				
4915.2(a)(2)	Fail to verify address/be photographed—10-year registration	F-3	9	POG2				
4915.2(a)(2)	Fail to verify address/be photographed—10-year registration (2nd/subseq. off)	F-2	13	POG3				
4915.2(a)(2)	Fail to verify address/be photographed—lifetime registration	F-2	12	POG3				
4915.2(a)(2)	Fail to verify address/be photographed—lifetime registration (2nd/subseq. off)	F-1	16	POG3				
4915.2(a)(3)	Fail to provide accurate information—10-year registration	F-2	12	POG3				
4915.2(a)(3)	Fail to provide accurate information—lifetime registration	F-1	15	POG3				
4915.2(a.1)(1)	Fail to comply with SVP counseling requirements	M-1	7	POG1				
4915.2(a.1)(2)	Fail to comply with SVP counseling requirements (another jurisdiction)	M-1	7	POG1				

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4952(a)(1)	Intimidation of witness/victim-refrain from reporting (listed factor & F-1/Murder 1 or 2)	F-1	18	POG3				
4952(a)(1)	Intimidation of witness/victim-refrain from reporting (listed factor & F-2)	F-2	13	POG3				
4952(a)(1)	Intimidation of witness/victim-refrain from reporting (listed factor)	F-3	10	POG2				
4952(a)(1)	Intimidation of witness/victim-refrain from reporting (general)	M-2	7	POG1				
4952(a)(2)	Intimidation of witness/victim-false/misleading info. (listed factor & F-1/Murder 1 or 2)	F-1	18	POG3				
4952(a)(2)	Intimidation of witness/victim-false/misleading info. (listed factor & F-2)	F-2	13	POG3				
4952(a)(2)	Intimidation of witness/victim-false/misleading info. (listed factor)	F-3	10	POG2				
4952(a)(2)	Intimidation of witness/victim-false/misleading info. (general)	M-2	7	POG1				
4952(a)(3)	Intimidation of witness/victim-Withhold Information, (listed factor & F-1/Murder 1 or 2)	F-1	18	POG3				
4952(a)(3)	Intimidation of witness/victim-withhold info. (listed factor & F-2)	F-2	13	POG3				
4952(a)(3)	Intimidation of witness/victim-withhold info. (listed factor)	F-3	10	POG2				
4952(a)(3)	Intimidation of witness/victim-withhold info. (general)	M-2	7	POG1				
4952(a)(4)	Intimidation of witness/victim-false info/refuse testimony (listed factor & F-1/Murder 1 or 2)	F-1	18	POG3				
4952(a)(4)	Intimidation of witness/victim-false info/refuse testimony (listed factor & F-2)	F-2	13	POG3				
4952(a)(4)	Intimidation of witness/victim-false info/refuse testimony (listed factor)	F-3	10	POG2				
4952(a)(4)	Intimidation of witness/victim-false info/refuse testimony (general)	M-2	7	POG1				
4952(a)(5)	Intimidation of witness/victim-evade/ignore summons (listed factor & F-1/Murder 1 or 2)	F-1	18	POG3				
4952(a)(5)	Intimidation of witness/victim-evade/ignore summons (listed factor & F-2)	F-2	13	POG3				
4952(a)(5)	Intimidation of witness/victim-evade/ignore summons (listed factor)	F-3	10	POG2				
4952(a)(5)	Intimidation of witness/victim-evade/ignore summons (general)	M-2	7	POG1				

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4952(a)(6)	Intimidation of witness/victim-absent from proceeding, (listed factor & F-1/Murder 1 or 2)	F-1	18	POG3				
4952(a)(6)	Intimidation of witness/victim-absent from proceeding (listed factor & F-2)	F-2	13	POG3				
4952(a)(6)	Intimidation of witness/victim-absent from proceeding (listed factor)	F-3	10	POG2				
4952(a)(6)	Intimidation of witness/victim-absent from proceeding (general)	M-2	7	POG1				
4953(a)	Retaliation against witness/victim-listed factor	F-3	12	POG2				
4953(a)	Retaliation against witness/victim-general	M-2	7	POG1				
4953.1(a)	Retaliation against prosecutor/judicial official-listed factor	F-2	13	POG3				
4953.1(a)	Retaliation against prosecutor/judicial official-general	M-1	9	POG1				
4958(a)(1)	Intimidation child abuse case-knowledge/intent to impede, etc.	M-2	7	POG1				
4958(a)(1)	Intimidation child abuse case-knowledge/intent to impede, etc. (force, etc.)	F-2	10	POG3				
4958(a)(1)	Intimidation child abuse case-knowledge/intent to impede, etc. (benefit)	F-2	10	POG3				
4958(a)(1)	Intimidation child abuse case-knowledge/intent to impede, etc. (furtherance consp.)	F-2	10	POG3				
4958(a)(1)	Intimidation child abuse case-knowledge/intent to impede, etc. (other person)	F-2	10	POG3				
4958(a)(1)	Intimidation child abuse case-knowledge/intent to impede, etc. (prior conv)	F-2	10	POG3				
4958(a)(2)(i)	Intimidation child abuse cases-intimidate/attempt refrain from/cause not report	M-2	7	POG1				
4958(a)(2)(i)	Intimidation child abuse cases-intimidate/attempt refrain from/cause not report (force, etc.)	F-2	10	POG3				
4958(a)(2)(i)	Intimidation child abuse cases-intimidate/attempt refrain from/cause not report (benefit)	F-2	10	POG3				
4958(a)(2)(i)	Intimidation child abuse cases-intimidate/attempt refrain from/cause not report (furtherance consp.)	F-2	10	POG3				
4958(a)(2)(i)	Intimidation child abuse cases-intimidate/attempt refrain from/cause not report (other person)	F-2	10	POG3				
4958(a)(2)(i)	Intimidation child abuse cases-intimidate/attempt refrain from/cause not report (prior conv)	F-2	10	POG3				
4958(a)(2)(ii)	Intimidation child abuse cases-intimidate/attempt withhold information	M-2	7	POG1				

<i>18 Pa.C.S. §</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Prior Offense Group (POG)</i>	<i>POG3 Article B and VUFA</i>	<i>Megan's Law</i>	<i>Crimes of Violence</i>	<i>Enhance</i>
4958(a)(2)(ii)	Intimidation child abuse cases-intimidate/attempt withhold information (force, etc.)	F-2	10	POG3				
4958(a)(2)(ii)	Intimidation child abuse cases-intimidate/attempt withhold information (benefit)	F-2	10	POG3				
4958(a)(2)(ii)	Intimidation child abuse cases-intimidate/attempt withhold information (furtherance consp.)	F-2	10	POG3				
4958(a)(2)(ii)	Intimidation child abuse cases-intimidate/attempt withhold information (other person)	F-2	10	POG3				
4958(a)(2)(ii)	Intimidation child abuse cases-intimidate/attempt withhold information (prior conv)	F-2	10	POG3				
4958(a)(2)(iii)	Intimidation child abuse cases-intimidate/attempt false/misleading information	M-2	7	POG1				
4958(a)(2)(iii)	Intimidation child abuse cases-intimidate/attempt false/misleading information (force, etc.)	F-2	10	POG3				
4958(a)(2)(iii)	Intimidation child abuse cases-intimidate/attempt false/misleading information (benefit)	F-2	10	POG3				
4958(a)(2)(iii)	Intimidation child abuse cases-intimidate/attempt false/misleading information (furtherance consp.)	F-2	10	POG3				
4958(a)(2)(iii)	Intimidation child abuse cases-intimidate/attempt false/misleading information (other person)	F-2	10	POG3				
4958(a)(2)(iii)	Intimidation child abuse cases-intimidate/attempt false/misleading information (prior conv)	F-2	10	POG3				
4958(a)(2)(iv)	Intimidation child abuse cases-intimidate/attempt evade etc. request/legal process	M-2	7	POG1				
4958(a)(2)(iv)	Intimidation child abuse cases-intimidate/attempt evade etc. request/legal process (force)	F-2	10	POG3				
4958(a)(2)(iv)	Intimidation child abuse cases-intimidate/attempt evade etc. request/legal process (benefit)	F-2	10	POG3				
4958(a)(2)(iv)	Intimidation child abuse cases-intimidate/attempt evade etc. request/legal process (furtherance consp.)	F-2	10	POG3				
4958(a)(2)(iv)	Intimidation child abuse cases-intimidate/attempt evade etc. request/legal process (other person)	F-2	10	POG3				
4958(a)(2)(iv)	Intimidation child abuse cases-intimidate/attempt evade etc. request/legal process (prior conv)	F-2	10	POG3				
4958(a)(2)(v)	Intimidation child abuse cases-intimidate/attempt fail appear/participate legal process	M-2	7	POG1				
4958(a)(2)(v)	Intimidation child abuse cases-intimidate/attempt fail appear/participate legal process (force)	F-2	10	POG3				
4958(a)(2)(v)	Intimidation child abuse cases-intimidate/attempt fail appear/participate legal process (benefit)	F-2	10	POG3				

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4958(a)(2)(v)	Intimidation child abuse cases-intimidate/attempt fail appear/participate legal process (furtherance consp.)	F-2	10	POG3				
4958(a)(2)(v)	Intimidation child abuse cases-intimidate/attempt fail appear/participate legal process (other person)	F-2	10	POG3				
4958(a)(2)(v)	Intimidation child abuse cases-intimidate/attempt fail appear/participate legal process (prior conv)	F-2	10	POG3				
4958(b)	Retaliation child abuse cases	M-2	7	POG1				
4958(b)	Retaliation child abuse cases (force)	F-2	12	POG3				
4958(b)	Retaliation child abuse cases (benefit)	F-2	12	POG3				
4958(b)	Retaliation child abuse cases (furtherance consp.)	F-2	12	POG3				
4958(b)	Retaliation child abuse cases (other person)	F-2	12	POG3				
4958(b)	Retaliation child abuse cases (prior conv)	F-2	12	POG3				
4958(b.1)	Obstruction child abuse cases	M-2	7	POG1				
4958(b.1)	Obstruction child abuse case (force)	F-2	10	POG3				
4958(b.1)	Obstruction child abuse cases (benefit)	F-2	10	POG3				
4958(b.1)	Obstruction child abuse cases (furtherance consp.)	F-2	10	POG3				
4958(b.1)	Obstruction child abuse cases (other person)	F-2	10	POG3				
4958(b.1)	Obstruction child abuse cases (prior conv)	F-2	10	POG3				
5101	Obstructing admin. of law/other govt. function	M-2	5	POG1				
5102(a)	Obstructing/impeding justice by picketing	M-2	5	POG1				
5103	Unlawfully listening into deliberations of jury	M-3	5	POG1				
5103.1	Use or operate device to capture, record, etc. photograph, video, etc. of proceeding or person in judicial facility or area	M-2	5	POG1				
5103.1	Use or operate device to capture, record, etc. photograph, video, etc. of proceeding or person in judicial facility or area (2nd/subseq.)	M-1	7	POG1				
5104	Resisting arrest, etc.	M-2	5	POG1				
5104.1(a)	Disarming law enforcement officer	F-3	7	POG2				
5104.2	Evading arrest or detention on foot	M-2	4	POG1				
5104.2	Evading arrest or detention on foot-another person suffers bodily injury	F-3	9	POG2				
5104.2	Evading arrest or detention on foot-another person suffers death	F-2	11	POG3				
5104.3	Harming a police animal while evading arrest or detention-death or SBI	F-3	9	POG2				
5104.3	Harming a police animal while evading arrest or detention-BI	M-2	4	POG1				

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5105(a)(1)	Hindering apprehension-harbors/conceals	M-2	5	POG1				
5105(a)(1)	Hindering apprehension-harbors/conceals (charge is F1/F2)	F-3	7	POG2				
5105(a)(2)	Hindering apprehension-provides aid to avoid apprehension	M-2	5	POG1				
5105(a)(2)	Hindering apprehension-provides aid to avoid apprehension (charge is F1/F2)	F-3	7	POG2				
5105(a)(3)	Hindering apprehension-conceal/destroy evidence	M-2	5	POG1				
5105(a)(3)	Hindering apprehension-conceal/destroy evidence (charge is F1/F2)	F-3	7	POG2				
5105(a)(4)	Hindering apprehension-warn of apprehension	M-2	5	POG1				
5105(a)(4)	Hindering apprehension-warn of apprehension (charge is F1/F2)	F-3	7	POG2				
5105(a)(5)	Hindering apprehension-false info. to law enforcement ofc.	M-2	5	POG1				
5105(a)(5)	Hindering apprehension-false info. to law enforcement ofc. (charge is F1/F2)	F-3	7	POG2				
5107(a)	Aiding consummation of crime	M-2	5	POG1				
5107(a)	Aiding consummation of crime (principal off is F1/F2)	F-3	7	POG2				
5108(a)	Compounding	M-2	5	POG1				
5109	Barratry-vex with unjust/vexatious suits	M-3	2	POG1				
5110	Contempt of General Assembly	M-3	5	POG1				
5111(a)(1)	Dealing in proceeds of unlawful activities-intent to promote act	F-1	12	POG3				
5111(a)(2)	Dealing in proceeds of unlawful activities-designed to conceal proceeds	F-1	12	POG3				
5111(a)(3)	Dealing in proceeds of unlawful activities-avoid transaction report req.	F-1	12	POG3				
5112(a)	Obstructing emergency services	M-3	5	POG1				
5121(a)	Permitting/facilitating escape	M-2	6	POG1				
5121(a)	Escape	M-2	6	POG1				
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	8	POG2				
5121(a)*	Escape (all other specified escapes)	F-3	9	POG2				
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	8	POG2				

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5121(a)*	Permitting/facilitating escape (all other specified escapes)	F-3	9	POG2				
5122(a)(1)	Weapons/implements for escape-provide to inmate	M-1	12	POG1				
5122(a)(2)	Weapons/implements for escape-possession by inmate	M-1	8	POG1				
5123(a)	Contraband-provide controlled substance to inmate	F-2	10	POG3				
5123(a.2)	Contraband-possession of controlled substance by inmate	F-2	10	POG3				
5123(b)	Contraband-provide money to inmate	M-3	5	POG1				
5123(c)	Contraband-provide other contraband to inmate	M-1	7	POG1				
5123(c.1)	Contraband-provide telecom. device to inmate	M-1	7	POG1				
5123(c.2)	Contraband-possession of telecom. device by inmate	M-1	7	POG1				
5124(a)	Default in required appearance (felony)	F-3	7	POG2				
5124(a)	Default in required appearance (non-felony)	M-2	5	POG1				
5125	Absconding witness	M-3	2	POG1				
5126(a)	Flight to avoid apprehension (felony)	F-3	7	POG2				
5126(a)	Flight to avoid apprehension (misd.)	M-2	5	POG1				
5131(a)(1)	Recruiting criminal gang member-solicit/cause/attempt cause (recruitee >=16 yrs.)	M-2	5	POG1				
5131(a)(1)	Recruiting criminal gang member-solicit/cause/attempt cause (recruitee <16 yrs.)	M-1	7	POG1				
5131(a)(2)	Recruiting criminal gang member-inflict BI/physical menace/force (recruitee >=16 yrs.)	M-1	7	POG1				
5131(a)(2)	Recruiting criminal gang member-inflict BI/physical menace/force (recruitee <16 yrs.)	F-3	8	POG2				
5131(a)(3)	Recruiting criminal gang member-inflict SBI (recruitee >=16 yrs.)	F-3	8	POG2				
5131(a)(3)	Recruiting criminal gang member-inflict SBI (recruitee <16 yrs.)	F-2	10	POG3				
5301(1)	Official oppression-subjects another to arrest, etc.	M-2	5	POG1				
5301(2)	Official oppression-denies another enjoyment of rights	M-2	5	POG1				
5302(1)	Speculating/wagering on official action-acquires pecuniary interest	M-2	5	POG1				
5302(2)	Speculating/wagering on official action-speculates on information	M-2	5	POG1				
5302(3)	Speculating/wagering on official action-aids another	M-2	5	POG1				
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5501(1)	Riot-intent to commit felony/misd.	F-3	7	POG2				

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5501(2)	Riot-intent to prevent/coerce official action	F-3	7	POG2				
5501(3)	Riot-actor/other plans to use deadly weapon	F-3	7	POG2				
5502	Failure to disperse upon official order	M-2	5	POG1				
5503(a)(1)	Disorderly conduct-frightening/threatening behavior (substantial harm/persist after warning)	M-3	5	POG1				
5503(a)(2)	Disorderly conduct-unreasonable noise (substantial harm/persist after warning)	M-3	5	POG1				
5503(a)(3)	Disorderly conduct-obscene language (substantial harm/persist after warning)	M-3	5	POG1				
5503(a)(4)	Disorderly conduct-hazardous condition (substantial harm/persist after warning)	M-3	5	POG1				
5506	Loitering and prowling at night time	M-3	5	POG1				
5507(a)	Obstructing highway, etc.-after warning	M-3	5	POG1				
5508	Disrupting meetings and processions	M-3	5	POG1				
5509(a)(1)	Desecration of venerated objects-intentional (public monument, etc.)	M-2	5	POG1				
5509(a)(2)	Desecration of venerated objects-intentional (object of veneration)	M-2	5	POG1				
5509(a)(3)	Desecration of venerated objects-sell veteran's marker	M-2	5	POG1				
5509(a.1)	Desecration of venerated objects-historic burial lots	M-1	6	POG1				
5510	Abuse of corpse	M-2	7	POG1				
5532(a)(1)*	Neglect of animal-fails to provide sustenance/water (cause BI/risk SBI)	M-3	2	POG1				
5532(a)(1)*	Neglect of animal-violates 5536 tethering an unattended dog (cause BI/risk SBI)	M-3	2	POG1				
5532(a)(2)	Neglect of animal-fails to provide shelter (cause BI/risk SBI)	M-3	2	POG1				
5532(a)(3)	Neglect of animal-fails to provide veterinary care (cause BI/risk SBI)	M-3	2	POG1				
5533(a)*	Cruelty to animal-abuse, abandon, etc. (cause BI/risk SBI)	M-2	6	POG1				
5533(a)*	Cruelty to animal-abuse, abandon, etc.: violates 5542(a) animal mutilation cropping of ear (cause BI/risk SBI)	M-2	6	POG1				
5533(a)*	Cruelty to animal-abuse, abandon, etc.: violates 5542(b) animal mutilation debarking (cause BI/risk SBI)	M-2	6	POG1				
5533(a)*	Cruelty to animal-abuse, abandon, etc.: violates 5542(c) animal mutilation docking of tail (cause BI/risk SBI)	M-2	6	POG1				

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5533(a)*	Cruelty to animal-abuse, abandon, etc.: violates 5542(d) animal mutilation surgical birth (cause BI/risk SBI)	M-2	6	POG1				
5533(a)*	Cruelty to animal-abuse, abandon, etc.: violates 5542(e) animal mutilation dewclawing (cause BI/risk SBI)	M-2	6	POG1				
5534(a)(1)	Aggravated cruelty to animal-tortures animal	F-3	8	POG2				
5534(a)(2)*	Aggravated cruelty to animal-violates 5532 (cause SBI/death)	F-3	9	POG2				
5534(a)(2)*	Aggravated cruelty to animal-violates 5533 (cause SBI/death)	F-3	9	POG2				
5535(a)	Attack of service, guide, or support dog	M-3	2	POG1				
5539	Transporting equine animals in cruel manner (2nd/subseq.)	M-3	2	POG1				
5543(1)	Animal fighting (for amusement/gain)	F-3	8	POG2				
5543(2)	Animal fighting (receives compensation)	F-3	8	POG2				
5543(3)	Animal fighting (owns fighting animal)	F-3	8	POG2				
5543(4)	Animal fighting (encourage/aid/assist)	F-3	8	POG2				
5543(5)	Animal fighting (wagers on fight outcome)	F-3	8	POG2				
5543(6)	Animal fighting (pays admission)	F-3	8	POG2				
5543(7)	Animal fighting (permits use of animal for fight)	F-3	8	POG2				
5544	Possession of animal fighting paraphernalia	M-3	2	POG1				
5548(a)	Police animals-illegal to taunt	F-3	8	POG2				
5548(b)	Police animals-illegal to torture or kill police animals	M-1	7	POG1				
5548(b)(1)	Police animals-intentionally torture or kill	F-2	11	POG3				
5548(b)(2)	Police animals-recklessly torture or kill	M-1	7	POG1				
5548(b.1)	Police animals-torture or kill during perpetration of felony	F-3	9	POG2				
5549(a)	Assault with biological agent on animal/fowl/honey bees	F-2	10	POG3				
75512(b)(1)	Lotteries-set up unlawful game	M-1	6	POG1				
5512(b)(2)	Lotteries-manuf./etc. unlawful tickets	M-1	6	POG1				
5512(b)(3)	Lotteries-publish advertisement	M-1	6	POG1				
5513(a)(1)	Gambling devices-intentionally makes gambling device	M-1	7	POG1				
5513(a)(2)	Gambling devices-allows assemble for gambling	M-1	7	POG1				
5513(a)(3)	Gambling devices-solicits/invites person for gambling	M-1	7	POG1				
5513(a)(4)	Gambling devices-allows gambling on premises	M-1	7	POG1				

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5513(a.1)(1)	Gambling devices-electronic video monitor: indirect or direct consideration	M-1	7	POG1				
5513(a.1)(2)	Gambling devices-electronic video monitor: player eligible for prize	M-1	7	POG1				
5514(1)	Pool selling and bookmaking-engage in	M-1	7	POG1				
5514(2)	Pool selling and bookmaking-occupy place	M-1	7	POG1				
5514(3)	Pool selling and bookmaking-receives bet on political outcome	M-1	7	POG1				
5514(4)	Pool selling and bookmaking-custodian of property wagered (for gain)	M-1	7	POG1				
5514(5)	Pool selling and bookmaking-knowingly permit premises to be used	M-1	7	POG1				
5515(b)(1)	Prohibiting of paramilitary training-teaching	M-1	7	POG1				
5515(b)(2)	Prohibiting of paramilitary training-assembles for training	M-1	7	POG1				
5516(a)(1)	Facsimile weapons of mass destruction-terrifying/etc. individual	F-3	8	POG2				
5516(a)(2)(i)	Facsimile weapons of mass destruction-reaction of org. wh/ deals w/ emergency	F-3	8	POG2				
5516(a)(2)(ii)	Facsimile weapons of mass destruction-reaction of law enforcement agency	F-3	8	POG2				
5516(a)(3)	Facsimile weapons of mass destruction-serious public inconvenience	F-3	8	POG2				
5517(a)	Unauthorized school bus entry	M-3	2	POG1				
5703	Interception of wire/oral communication	F-3	7	POG2				
5703(1)	Interception of wire/oral communication-intentionally intercepts	F-3	7	POG2				
5703(2)	Interception of wire/oral communication-discloses contents	F-3	7	POG2				
5703(3)	Interception of wire/oral communication-use contents	F-3	7	POG2				
5705(1)	Possess/etc. of interception devices-intentionally possess/etc.	F-3	7	POG2				
5705(2)	Possess/etc. of interception devices-intentionally sells/etc.	F-3	7	POG2				
5705(3)	Possess/etc. of interception devices-intentionally manufactures/etc.	F-3	7	POG2				
5705(4)	Possess/etc. of interception devices-intentionally advertises/etc.	F-3	7	POG2				
5719	Unlawful use of order concerning intercepted communications	M-2	5	POG1				

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5741(a)(1)	Unlawf. access stored communications-access w/o authority-for gain (1st off)	M-3	2	POG1				
5741(a)(1)	Unlawf. access stored communications-access w/o authority-for gain (2nd/subseq. off)	M-2	5	POG1				
5741(a)(2)	Unlawf. access stored communications-exceed authorization-for gain (1st off)	M-3	2	POG1				
5741(a)(2)	Unlawf. access stored communications-exceed authorization-for gain (2nd/subseq. off)	M-2	5	POG1				
5771(a)	Prohibit pen register & trap/trace device	M-3	2	POG1				
5901	Open lewdness	M-3	2	POG1				
5902(a)(1)	Prostitution-business (1st/2nd off)	M-3	2	POG1				
5902(a)(1)	Prostitution-business (3rd off)	M-2	6	POG1				
5902(a)(1)	Prostitution-business (4th/subseq. off)	M-1	7	POG1				
5902(a)(1)	Prostitution-business (HIV positive/AIDS)	F-3	10	POG2				
5902(a)(2)	Prostitution (1st/2nd off)	M-3	2	POG1				
5902(a)(2)	Prostitution (3rd off)	M-2	6	POG1				
5902(a)(2)	Prostitution (4th/subseq. off)	M-1	7	POG1				
5902(a)(2)	Prostitution (HIV positive/AIDS)	F-3	10	POG2				
5902(b)(1)	Promoting prostitution-own house/business	F-3	8	POG2				
5902(b)(2)	Promoting prostitution-procure prostitute for house	F-3	8	POG2				
5902(b)(3)	Promoting prostitution-encourage prostitution	F-3	8	POG2				
5902(b)(4)	Promoting prostitution-solicit patron	M-2	6	POG1				
5902(b)(4)	Promoting prostitution-solicit patron (compel)	F-3	8	POG2				
5902(b)(4)	Promoting prostitution-solicit patron (HIV positive/AIDS)	F-3	8	POG2				
5902(b)(4)	Promoting prostitution-solicit patron (spouse/child/ward)	F-3	8	POG2				
5902(b)(5)	Promoting prostitution-procure prostitute	M-2	6	POG1				
5902(b)(5)	Promoting prostitution-procure prostitute (compel)	F-3	8	POG2				
5902(b)(5)	Promoting prostitution-procure prostitute (HIV positive/AIDS)	F-3	8	POG2				
5902(b)(5)	Promoting prostitution-procure prostitute (spouse/child/ward)	F-3	8	POG2				
5902(b)(6)	Promoting prostitution-transport prostitute	M-2	6	POG1				
5902(b)(6)	Promoting prostitution-transport prostitute (compel)	F-3	8	POG2				
5902(b)(6)	Promoting prostitution-transport prostitute (HIV positive/AIDS)	F-3	8	POG2				

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5902(b)(6)	Promoting prostitution-transport prostitute (spouse/child/ward)	F-3	8	POG2				
5902(b)(7)	Promoting prostitution-provide place for prostitution	M-2	6	POG1				
5902(b)(7)	Promoting prostitution-provide place for prostitution (compel)	F-3	8	POG2				
5902(b)(7)	Promoting prostitution-provide place for prostitution (HIV positive/AIDS)	F-3	8	POG2				
5902(b)(7)	Promoting prostitution-provide place for prostitution (spouse/child/ward)	F-3	8	POG2				
5902(b)(8)	Promoting prostitution-receive benefit	M-2	6	POG1				
5902(b)(8)	Promoting prostitution-receive benefit (compel)	F-3	8	POG2				
5902(b)(8)	Promoting prostitution-receive benefit (HIV positive/AIDS)	F-3	8	POG2				
5902(b)(8)	Promoting prostitution-receive benefit (spouse/child/ward)	F-3	8	POG2				
5902(b.1)(1)*	Promoting prostitution of minor-business (16-<18 yrs.)	F-3	10	POG3		x		
5902(b.1)(1)*	Promoting prostitution of minor-business (<16 yrs.)	F-3	13	POG3		x		
5902(b.1)(2)*	Promoting prostitution of minor-procure (16-<18 yrs.)	F-3	10	POG3		x		
5902(b.1)(2)*	Promoting prostitution of minor-procure (<16 yrs.)	F-3	13	POG3		x		
5902(b.1)(3)*	Promoting prostitution of minor-induce (16-<18 yrs.)	F-3	10	POG3		x		
5902(b.1)(3)*	Promoting prostitution of minor-induce (<16 yrs.)	F-3	13	POG3		x		
5902(b.1)(4)*	Promoting prostitution of minor-solicit minor to patronize (16-<18 yrs.)	F-3	10	POG3		x		
5902(b.1)(4)*	Promoting prostitution of minor-solicit minor to patronize (<16 yrs.)	F-3	13	POG3		x		
5902(b.1)(5)*	Promoting prostitution of minor-procure minor prostitute for patron (16-<18 yrs.)	F-3	10	POG3		x		
5902(b.1)(5)*	Promoting prostitution of minor-procure minor prostitute for patron (<16 yrs.)	F-3	13	POG3		x		
5902(b.1)(6)*	Promoting prostitution of minor-transport minor for prostitution (16-<18 yrs.)	F-3	10	POG3		x		
5902(b.1)(6)*	Promoting prostitution of minor-transport minor for prostitution (<16 yrs.)	F-3	13	POG3		x		
5902(b.1)(7)*	Promoting prostitution of minor-provide place for prostitution (16-<18 yrs.)	F-3	10	POG3		x		
5902(b.1)(7)*	Promoting prostitution of minor-provide place for prostitution (<16 yrs.)	F-3	13	POG3		x		
5902(b.1)(8)*	Promoting prostitution of minor-receive benefit (16-<18 yrs.)	F-3	10	POG3		x		

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5902(b.1)(8)*	Promoting prostitution of minor-receive benefit (<16 yrs.)	F-3	13	POG3		x		
5902(d)	Living off prostitutes	M-2	6	POG1				
5902(d)	Living off prostitutes (compel)	F-3	8	POG2				
5902(d)	Living off prostitutes (HIV positive/AIDS)	F-3	8	POG2				
5902(d)	Living off prostitutes (spouse/child/ward)	F-3	8	POG2				
5902(e)	Patronizing prostitutes (1st/2nd off)	M-3	2	POG1				
85902(e)	Patronizing prostitutes (3rd off)	M-2	6	POG1				
5902(e)	Patronizing prostitutes (4th/subseq. off)	M-1	7	POG1				
5902(e)	Patronizing prostitutes (HIV positive/AIDS)	F-3	10	POG2				
5903(a)(1)	Obscene materials-display (1st off & not for resale)	M-1	7	POG1				
5903(a)(1)	Obscene materials-display (2nd/subseq. off or for resale)	F-3	8	POG2				
5903(a.1)	Obscene materials-disseminate via elec. comm. (1st off & not for resale)	M-1	7	POG1				
5903(a.1)	Obscene materials-disseminate via elec. comm. att. evade prosec. (1st) (additional penalty)	M-1	7	POG1				
5903(a.1)	Obscene materials-disseminate via elec. comm: att. evade prosec. (2nd) (additional penalty)	M-1	7	POG1				
5903(a)(2)	Obscene materials-sell (1st off & not for resale)	M-1	7	POG1				
5903(a)(2)	Obscene materials-sell (2nd/subseq. off or for resale)	F-3	8	POG2				
5903(a)(3)(i)	Obscene materials-design (1st off & not for resale)	M-1	7	POG1				
5903(a)(3)(i)	Obscene materials-design (2nd/subseq. off or for resale)	F-3	8	POG2				
5903(a)(3)(ii)	Obscene materials-design: minor depicted (1st off & not for resale)	M-1	8	POG3		x		
5903(a)(3)(ii)	Obscene materials-design: minor depicted (2nd/subseq. off or for resale)	F-3	10	POG3		x		
5903(a)(4)(i)	Obscene materials-prepare ad (1st off & not for resale)	M-1	7	POG1				
5903(a)(4)(i)	Obscene materials-prepare ad (2nd/subseq. off or for resale)	F-3	8	POG2				
5903(a)(4)(ii)	Obscene materials-prepare ad: minor included (1st off & not for resale)	M-1	8	POG3		x		
5903(a)(4)(ii)	Obscene materials-prepare ad: minor included (2nd/subseq. off or for resale)	F-3	10	POG3		x		
5903(a)(5)(i)	Obscene materials-produce performance (1st off & not for resale)	M-1	7	POG1				
5903(a)(5)(i)	Obscene materials-produce performance (2nd/subseq. off or for resale)	F-3	8	POG2				

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5903(a)(5)(ii)	Obscene materials-produce performance: minor included (1st off & not for resale)	M-1	8	POG3		x		
5903(a)(5)(iii)	Obscene materials-produce performance: minor included (2nd/subseq. off or for resale)	F-3	10	POG3		x		
5903(a)(6)	Obscene materials-use minor to assist (1st off & not for resale)	M-1	8	POG3		x		
5903(a)(6)	Obscene materials-use minor to assist (2nd/subseq. off or for resale)	F-3	10	POG3		x		
5903(a)(7)	Obscene materials-deliver to correctnl facility (1st off & not for resale)	M-1	7	POG1				
5903(a)(7)	Obscene materials-deliver to correctnl facility (2nd/subseq. off or for resale)	F-3	8	POG2				
5903(a)(8)	Obscene materials-inmate possesses (1st off & not for resale)	M-1	7	POG1				
5903(a)(8)	Obscene materials-inmate possesses (2nd/subseq. off or for resale)	F-3	8	POG2				
5903(a)(9)	Obscene materials-permit into correctnl inst (1st off & not for resale)	M-1	7	POG1				
5903(a)(9)	Obscene materials-permit into correctnl inst (2nd/subseq. off or for resale)	F-3	8	POG2				
5903(c)(1)	Obscene materials-disseminate pictures to minors (1st off)	F-3	8	POG2				
5903(c)(1)	Obscene materials-disseminate pictures to minors (2nd/subseq. off)	F-2	10	POG3				
5903(c)(2)	Obscene materials-disseminate print/audio to minors (1st off)	F-3	8	POG2				
5903(c)(2)	Obscene materials-disseminate print/audio to minors (2nd/subseq. off)	F-2	10	POG3				
5903(d)	Obscene materials-admit minor to show (1st off)	F-3	8	POG2				
5903(d)	Obscene materials-admit minor to show (2nd/subseq. off)	F-2	10	POG3				
5903(f)	Obscene materials-require sale	M-1	7	POG1				
5904	Public exhibition of insane/deformed person	M-2	5	POG1				
PART II	ARTICLE G							
6105(a)(1)*	Firearms-persons not to possess: convicted of enumerated felony or drug felony (loaded/ammo available) ((a.1)(1))	F-2	15	POG3				
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	18	POG3				E

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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	18	POG3				E
6105(a)(1)*	Firearms-persons not to possess: convicted of enumerated felony or drug felony (unloaded/no ammo available) ((a.1)(1))	F-2	14	POG3				
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	16	POG3				E
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	16	POG3				E
6105(a)(1)*	Firearms-persons not to possess: convicted of enumerated misd. (loaded/ammo available) ((a.1)(1))	M-1	7	POG3	VUFA			
6105(a)(1)*	Firearms-persons not to possess: convicted of enumerated misd. (unloaded/no ammo available) ((a.1)(1))	M-1	7	POG3	VUFA			
6105(a)(1)*	Firearms-persons not to possess: accept w/PFA (loaded/ammo available) ((a.1)(2)(i))	M-3	5	POG1				
6105(a)(1)*	Firearms-persons not to possess: accept w/PFA (unloaded/no ammo available) ((a.1)(2)(i))	M-3	2	POG1				
6105(a)(1)	Firearms-persons not to possess: fail to relinquish w/PFA (a.1)(2)	M-2	7	POG1				
6105(a)(1)*	Firearms-persons not to possess: return to person w/PFA (loaded/ammo available) ((a.1)(5))	M-1	9	POG3	VUFA			
6105(a)(1)*	Firearms-persons not to possess: return to person w/PFA (unloaded/no ammo available) ((a.1)(5))	M-1	7	POG3	VUFA			
6105(a)(1)*	Firearms-persons not to possess: fugitive from justice (loaded/ammo available) ((c)(1))	M-1	9	POG3	VUFA			
6105(a)(1)*	Firearms-persons not to possess: fugitive from justice (unloaded/no ammo available) ((c)(1))	M-1	7	POG3	VUFA			
6105(a)(1)*	Firearms-persons not to possess: convicted of drug misdemeanor (loaded/ammo available) ((c)(2))	M-1	9	POG3	VUFA			
6105(a)(1)*	Firearms-persons not to possess: convicted of drug misdemeanor (unloaded/no ammo available) ((c)(2))	M-1	7	POG3	VUFA			
6105(a)(1)*	Firearms-persons not to possess: convicted of DUI (loaded/ammo available) ((c)(3))	M-1	9	POG3	VUFA			
6105(a)(1)*	Firearms-persons not to possess: convicted of DUI (unloaded/no ammo available) ((c)(3))	M-1	7	POG3	VUFA			

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6105(a)(1)*	Firearms-persons not to possess: incompetent/mental illness (loaded/ammo available) ((c)(4))	M-1	7	POG3	VUFA			
6105(a)(1)*	Firearms-persons not to possess: incompetent/mental illness (unloaded/no ammo available) ((c)(4))	M-1	7	POG3	VUFA			
6105(a)(1)*	Firearms-persons not to possess: alien (loaded/ammo available) ((c)(5))	M-1	9	POG3	VUFA			
6105(a)(1)*	Firearms-persons not to possess: alien (unloaded/no ammo available) ((c)(5))	M-1	7	POG3	VUFA			
6105(a)(1)*	Firearms-persons not to possess: active PFA (loaded/ammo available) ((c)(6))	M-2	9	POG1				
6105(a)(1)*	Firearms-persons not to possess: active PFA (unloaded/no ammo available) ((c)(6))	M-2	7	POG1				
6105(a)(1)*	Firearms-persons not to possess: adjudicated delinquent (loaded/ammo available) ((c)(7))	M-1	9	POG3	VUFA			
6105(a)(1)*	Firearms-persons not to possess: adjudicated delinquent (unloaded/no ammo available) ((c)(7))	M-1	7	POG3	VUFA			
6105(a)(1)*	Firearms-persons not to possess: adjudicated delinquent (loaded/ammo available) ((c)(8))	M-1	9	POG3	VUFA			
6105(a)(1)*	Firearms-persons not to possess: adjudicated delinquent (unloaded/no ammo available) ((c)(8))	M-1	7	POG3	VUFA			
6105(a)(1)*	Firearms-persons not to possess: other under U.S.C. (loaded/ammo available) ((c)(9))	M-1	9	POG3	VUFA			
6105(a)(1)*	Firearms-persons not to possess: other under U.S.C. (unloaded/no ammo available) ((c)(9))	M-1	7	POG3	VUFA			
6105.2(a)(1)	Firearms-persons not to possess: relinquishment of firearms/licenses by convicted persons	M-2	7	POG1				
6106(a)(1)*	Firearms-carried w/o license: ineligible (loaded/ammo available)	F-3	13	POG3	VUFA			
6106(a)(1)*	Firearms-carried w/o license: ineligible (unloaded/no ammo available)	F-3	10	POG3	VUFA			
6106(a)(1)*	Firearms-carried w/o license: eligible and criminal act (loaded/ammo available & crim act.)	F-3	13	POG3	VUFA			
6106(a)(1)*	Firearms-carried w/o license: eligible and criminal act (unloaded/no ammo available & crim act.)	F-3	10	POG3	VUFA			
6106(a)(2)*	Firearms-carried w/o license (loaded/ammo available/no other crim. act.)	M-1	7	POG3	VUFA			
6106(a)(2)*	Firearms-carried w/o license (unloaded/no ammo available/ no other crim. act.)	M-1	7	POG3	VUFA			
6107(a)	Firearms-prohibited conduct during emergency	M-1	7	POG3	VUFA			

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6108*	Firearms-carrying in Philadelphia (loaded/ammo available)	M-1	7	POG3	VUFA			
6108*	Firearms-carrying in Philadelphia (unloaded/no ammo available)	M-1	7	POG3	VUFA			
6110.1(a)	Firearms-possession by minor	M-1	7	POG3	VUFA			
6110.1(c)	Firearms-delivery to minor by adult	F-3	10	POG3	VUFA			
6110.2(a)*	Firearms-possession w/ altered mfr. num. (loaded/ammo available)	F-2	15	POG3				
6110.2(a)*	Firearms-possession w/ altered mfr. num. (unloaded/no ammo available)	F-2	13	POG3				
6111(a)(1)	Firearms-sale/transfer: deliver before 48 hrs	M-2	5	POG1				
6111(a)(1)	Firearms-sale/transfer: deliver before 48 hrs (2nd/subseq. off)	F-2	13	POG3				
6111(a)(1)	Firearms-sale/transfer: deliver before 48 hrs (false statements)	F-3	12	POG3	VUFA			
6111(a)(1)	Firearms-sale/transfer: deliver before 48 hrs (inappropriate use of crim history)	F-3	7	POG3	VUFA			
6111(a)(1)	Firearms-sale/transfer: deliver before 48 hrs (sell to ineligible)	F-3	12	POG3	VUFA			
6111(a)(1)	Firearms-sale/transfer: deliver before 48 hrs (unlawful crim history request)	F-3	7	POG3	VUFA			
6111(a)(2)	Firearms-sale/transfer: deliver w/o crim history check	M-2	5	POG1				
6111(a)(2)	Firearms-sale/transfer: deliver w/o crim history check (2nd/subseq. off)	F-2	13	POG3				
6111(a)(2)	Firearms-sale/transfer: deliver w/o crim history check (false statements)	F-3	12	POG3	VUFA			
6111(a)(2)	Firearms-sale/transfer: deliver w/o crim history check (inappropriate use of crim history)	F-3	7	POG3	VUFA			
6111(a)(2)	Firearms-sale/transfer: deliver w/o crim history check (sell to ineligible)	F-3	12	POG3	VUFA			
6111(a)(2)	Firearms-sale/transfer: deliver w/o crim history check (unlawful crim history request)	F-3	7	POG3	VUFA			
6111(b)(1)	Firearms-sale/transfer: full app/record of sale	M-2	5	POG1				
6111(b)(1)	Firearms-sale/transfer: full app/record of sale (2nd/subseq. off)	F-2	13	POG3				
6111(b)(1)	Firearms-sale/transfer: full app/record of sale (false statements)	F-3	12	POG3	VUFA			
6111(b)(1)	Firearms-sale/transfer: full app/record of sale (inappropriate use of crim history)	F-3	7	POG3	VUFA			

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6111(b)(1)	Firearms-sale/transfer: full app/record of sale (sell to ineligible)	F-3	12	POG3	VUFA			
6111(b)(1)	Firearms-sale/transfer: full app/record of sale (unlawful crim history request)	F-3	7	POG3	VUFA			
6111(b)(1.2)	Firearms-sale/transfer: transmit fee	M-2	5	POG1				
6111(b)(1.2)	Firearms-sale/transfer: transmit fee (2nd/subseq. off)	F-2	13	POG3				
6111(b)(1.2)	Firearms-sale/transfer: transmit fee (false statements)	F-3	12	POG3	VUFA			
6111(b)(1.2)	Firearms-sale/transfer: transmit fee (inappropriate use of crim history)	F-3	7	POG3	VUFA			
6111(b)(1.2)	Firearms-sale/transfer: transmit fee (sell to ineligible)	F-3	12	POG3	VUFA			
6111(b)(1.2)	Firearms-sale/transfer: transmit fee (unlawful crim history request)	F-3	7	POG3	VUFA			
6111(c)	Firearms-sale/transfer: thru licensed dealer	M-2	5	POG1	VUFA			
6111(c)	Firearms-sale/transfer: thru licensed dealer (2nd/subseq. off)	F-2	13	POG3	VUFA			
6111(c)	Firearms-sale/transfer: thru licensed dealer (false statements)	F-3	12	POG3	VUFA			
6111(c)	Firearms-sale/transfer: thru licensed dealer (inappropriate use of crim history)	F-3	7	POG3	VUFA			
6111(c)	Firearms-sale/transfer: thru licensed dealer (sell to ineligible)	F-3	12	POG3	VUFA			
6111(c)	Firearms-sale/transfer: thru licensed dealer (unlawful crim history request)	F-3	7	POG3	VUFA			
6111(g)(2)	Firearms-sale/transfer: to unqualified or ineligible person	F-3	12	POG3	VUFA			
6111(g)(2)	Firearms-sale/transfer: to unqualified or ineligible person (2nd/subseq. off)	F-2	13	POG3	VUFA			
6111(g)(4)	Firearms-sale/transfer: false statements, materials, ID	F-3	12	POG3	VUFA			
6111(g)(4)	Firearms-sale/transfer: false statements, materials, ID (2nd/subseq. off)	F-2	13	POG3	VUFA			
6112	Firearms-dealer to be licensed	M-1	7	POG3	VUFA			
6113(a)(1)	Firearms-dealer license: sell in undesignated area	M-1	7	POG3	VUFA			
6113(a)(2)	Firearms-dealer license: fail to display license	M-1	7	POG3	VUFA			
6113(a)(3)	Firearms-dealer license: violation of act	M-1	7	POG3	VUFA			
6113(a)(4)	Firearms-dealer license: w/o knowledge of purchaser	M-1	7	POG3	VUFA			
6113(a)(5)	Firearms-dealer license: fail to keep record	M-1	7	POG3	VUFA			
6113(a)(6)	Firearms-dealer license: display firearm in public view	M-1	7	POG3	VUFA			
6115(a)	Firearms-lending prohibited	M-1	7	POG3	VUFA			

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6116	Firearms-give false info/identity for purchase	M-1	7	POG3	VUFA			
6117(a)	Firearms-alter mfr. number/ID	F-2	10	POG3	VUFA			
6121(a)	Firearms-certain bullets prohibited	F-3	7	POG3	VUFA			
6122	Firearms-proof of license	M-1	7	POG3	VUFA			
6161(a)	Carrying explosives on conveyances	M-2	7	POG1				
6162(a)	Shipping explosives	M-3	7	POG1				
6301(a)(1)(i)	Corruption of minors	M-1	7	POG1				
6301(a)(1)(ii)	Corruption of minors-course of conduct (of a sexual nature)	F-3	10	POG3		x		
6301(a)(2)	Corruption of minors-encourage 2nd truancy in one year	M-3	2	POG1				
6302(a)	Sale/lease of weapons/explosives (to minor)	M-1	7	POG1				
6303(a)	Sale of starter pistols-to minors	M-1	7	POG1				
6304(a)(1)	Sale/use of air rifles-sale or transfer (to minor)	M-3	2	POG1				
6307(a)	Misrepresentation of age to secure alcohol (2nd/subseq. off)	M-3	2	POG1				
6309(a)	Representing that minor is of age	M-3	2	POG1				
6310(a)	Inducement of minors to buy liquor/beer	M-3	2	POG1				
6310.1(a)	Selling/furnishing liquor/beer to minors	M-3	2	POG1				
6310.2(a)	Manufacture/sale of false ID card	M-2	5	POG1				
6310.3(a)	Carrying a false ID card (2nd/subseq. off)	M-3	2	POG1				
6311(a)	Tattooing a minor (1st off)	M-3	2	POG1				
6311(a)	Tattooing a minor (2nd/subseq. off)	M-2	5	POG1				
6311(b)	Body piercing a minor (1st off)	M-3	2	POG1				
6311(b)	Body piercing a minor (2nd/subseq. off)	M-2	5	POG1				
6312(b)*	Sexual abuse of children-photographing/etc. sexual acts (13-<18 yrs.)	F-2	12	POG3		x		
6312(b)	Sexual abuse of children-photographing/etc. sexual acts (10-<13 yrs.)	F-2	13	POG3		x		
6312(b)*	Sexual abuse of children-photographing/etc. sexual acts (<10 yrs. or determination of prepubescence)	F-1	17	POG3		x		E
6312(b)*	Sexual abuse of children-photographing/etc. sexual acts: when indecent contact depicted (13-<18 yrs.)	F-1	15	POG3		x		E
6312(b)*	Sexual abuse of children-photographing/etc. sexual acts: when indecent contact depicted (10-<13 yrs.)	F-1	17	POG3		x		E

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6312(b)*	Sexual abuse of children-photographing/etc. sexual acts: when indecent contact depicted (<10 yrs. or determination of prepubescence)	F-1	18	POG3		x		
6312(c)*	Sexual abuse of children-dissemination (13-<18 yrs.) (1st off)	F-3	9	POG3		x		
6312(c)*	Sexual abuse of children-dissemination (13-<18 yrs.) (2nd/subseq. off)	F-2	10	POG3		x		
6312(c)*	Sexual abuse of children-dissemination (10-<13 yrs.) (1st off)	F-3	10	POG3		x		
6312(c)*	Sexual abuse of children-dissemination (10-<13 yrs.) (2nd/subseq. off)	F-2	12	POG3		x		
6312(c)*	Sexual abuse of children-dissemination (<10 yrs. or determination of prepubescence) (1st off)	F-2	14	POG3		x		E
6312(c)*	Sexual abuse of children-dissemination (<10 yrs. or determination of prepubescence) (2nd/subseq. off)	F-2	15	POG3		x		
6312(c)*	Sexual abuse of children-dissemination: when indecent contact depicted (13-<18 yrs.) (1st offense)	F-2	13	POG3		x		E
6312(c)*	Sexual abuse of children-dissemination: when indecent contact depicted (13-<18 yrs.) (2nd/subseq. offense)	F-2	14	POG3		x		
6312(c)*	Sexual abuse of children-dissemination: when indecent contact depicted (10-<13 yrs. or determination of prepubescence) (1st offense)	F-2	14	POG3		x		E
6312(c)*	Sexual abuse of children-dissemination: when indecent contact depicted (10-<13 yrs. or determination of prepubescence) (2nd/subseq. offense)	F-2	15	POG3		x		
6312(c)*	Sexual abuse of children-dissemination: when indecent contact depicted (<10 yrs. or determination of prepubescence) (1st offense)	F-2	15	POG3		x		E
6312(c)*	Sexual abuse of children-dissemination: indecent contact depicted (<10 yrs. or determination of prepubescence) (2nd/subseq. offense)	F-2	16	POG3		x		
6312(d)*	Sexual abuse of children-possess child pornography (13-<18 yrs.) (1st off)	F-3	9	POG3		x		
6312(d)*	Sexual abuse of children-possess child pornography (13-<18 yrs.) (2nd/subseq. off)	F-2	10	POG3		x		
6312(d)*	Sexual abuse of children-possess child pornography (10-<13 yrs.) (1st off)	F-3	10	POG3		x		
6312(d)*	Sexual abuse of children-possess child pornography (10-<13 yrs.) (2nd/subseq. off)	F-2	12	POG3		x		
6312(d)*	Sexual abuse of children-possess child pornography (<10 yrs. or determination of prepubescence) (1st off)	F-2	14	POG3		x		E

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6312(d)*	Sexual abuse of children-possess child pornography (<10 yrs. or determination of prepubescence) (2nd/subseq. off)	F-2	15	POG3		x		
6312(d)*	Sexual abuse of children-possess child pornography: when indecent contact depicted (13-<18) (1st offense)	F-2	13	POG3		x		E
6312(d)*	Sexual abuse of children-possess child pornography: when indecent contact depicted (13-<18) (2nd/subseq. offense)	F-2	14	POG3		x		
6312(d)*	Sexual abuse of children-possess child pornography: when indecent contact depicted (10-<13 yrs.) (1st offense)	F-2	14	POG3		x		E
6312(d)*	Sexual abuse of children-possess child pornography: when indecent contact depicted (10-<13 yrs.) (2nd/subseq. offense)	F-2	15	POG3		x		
6312(d)*	Sexual abuse of children-possess child pornography: when indecent contact depicted (<10 yrs. or determination of prepubescence) (1st offense)	F-2	15	POG3		x		E
6312(d)*	Sexual abuse of children-possess child pornography: when indecent contact depicted (<10 yrs. or determination of prepubescence) (2nd/subseq. offense)	F-2	16	POG3		x		
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 10, whichever is greater	Same as underlying offense		x		
6318(a)(1)	Unlaw. contact w/ minor-sexual offenses (underlying offense <F-3)	F-3	10	POG3		x		
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 9, whichever is greater	Same as underlying offense		x		
6318(a)(2)	Unlaw. contact w/ minor-open lewdness (underlying offense <F-3)	F-3	9	POG3		x		
6318(a)(3)	Unlaw. contact w/ minor-prostitution (underlying offense=F-3 or greater)	Same as underlying offense	Same as underlying offense, or OGS 9, whichever is greater	Same as underlying offense		x		
6318(a)(3)	Unlaw. contact w/ minor-prostitution (underlying offense <F-3)	F-3	9	POG3		x		

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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 9, whichever is greater	Same as underlying offense		x		
6318(a)(4)	Unlaw. contact w/ minor-sexual materials (underlying offense <F-3)	F-3	9	POG3		x		
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 9, whichever is greater	Same as underlying offense		x		
6318(a)(5)	Unlaw. contact w/ minor-sexual abuse (underlying offense <F-3)	F-3	9	POG3		x		
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 9, whichever is greater	Same as underlying offense		x		
6318(a)(6)	Unlaw. contact w/ minor-sexual exploitation (underlying offense <F-3)	F-3	9	POG3		x		
6319(a)	Solicitation of minors to traffic drugs-general	F-2	13	POG3				
6319(b)	Solicitation of minors to traffic drugs-drug-free school zone	F-1	16	POG3				
6320	Sexual exploitation of children	F-2	13	POG3		x		
6321(b)	Transmission, sexually explicit image by minor-of another minor (victim >=12 yrs.)	M-3	5	POG1				
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	7	POG1				
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	7	POG1				
6501(a)(1)	Scattering rubbish-upon land/stream (2nd/subseq. off)	M-3	2	POG1				
6501(a)(2)	Scattering rubbish-interferes w/ contents of receptacle (2nd/subseq. off)	M-3	2	POG1				
6501(a)(3)	Scattering rubbish-deposit trash on street (2nd/subseq. off)	M-1	7	POG1				
6501(a)(3)	Scattering rubbish-deposit trash on street (1st off)	M-2	5	POG1				

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6504	Public nuisances	M-2	5	POG1				
6701(b)(1)	Misrepresentation of military service	M-3	2	POG1				
6701(b)(2)	Misrepresentation of military honors	M-3	2	POG1				
6703	Dealing in military decorations	M-3	2	POG1				
6707	False registration of domestic animals	M-3	2	POG1				
6709(1)	Use of union labels-insignia	M-3	2	POG1				
6709(2)	Use of union labels-nonunion product	M-3	2	POG1				
6709(3)	Use of union labels-not authorized by union	M-3	2	POG1				
6901	Extension of water line-w/o permit	M-3	2	POG1				
6910(a)	Unauthorized sale of tickets	M-3	2	POG1				
7102	Administer drugs to race horses	M-1	7	POG1				
7103(a)	Horse racing	M-3	2	POG1				
7104(a)	Fortune telling-for gain or lucre	M-3	2	POG1				
7107(a)(1)	Unlawf. action by athlete agent-prior to eligibility expired	M-1	7	POG1				
7107(a)(2)	Unlawf. action by athlete agent-give prior to eligibility expired	M-1	7	POG1				
7107(a)(3)	Unlawf. action by athlete agent-agreement w/ univ. employee for referral	M-1	7	POG1				
7302(a)	Sale of solidified alcohol	M-2	5	POG1				
7302(b)	Labeling of solidified alcohol	M-1	7	POG1				
7303(a)	Sale/illegal use of certain solvents-smell/inhale toxic subst	M-3	2	POG1				
7303(c)	Sale/illegal use of certain solvents-possess solvent for toxic vapors	M-3	2	POG1				
7303(d)	Sale/illegal use of certain solvents-sell solvent for toxic vapors	M-3	2	POG1				
7306(a)	Incendiary devices	M-1	7	POG1				
7307	Out-of-state convict made goods-sell/exchange	M-2	5	POG1				
7308(a)	Unlawful advertising of insurance business	M-2	5	POG1				
7309(a)	Unlawful coercion in contracting insurance	M-1	7	POG1				
7310(a)	Furnishing free insurance as inducement for purchase	M-3	2	POG1				
7311(a)	Unlawful collection agency practices-assignment of claims	M-3	2	POG1				
7311(b)	Unlawful collection agency practices-appearance for creditor	M-3	2	POG1				

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7311(b.1)	Unlawful collection agency practices-unfair/deceptive methods	M-3	2	POG1				
7311(c)	Unlawful collection agency practices-unlaw. furnish legal services	M-3	2	POG1				
7311(d)	Unlawful collection agency practices-unlaw. service for debtor	M-3	2	POG1				
7311(e)	Unlawful collection agency practices-unlaw. solicit job for attorney	M-3	2	POG1				
7311(f)	Unlawful collection agency practices-unlaw. coercion/intimidation	M-3	2	POG1				
7312(a)	Debt pooling	M-3	2	POG1				
7313(a)	Buying/exchanging SNAP benefits (>=\$1,000)	F-3	7	POG2				
7313(a)	Buying/exchanging SNAP benefits (<\$1,000)	M-1	7	POG1				
7314(a)	Fraudulent traffic in SNAP benefits (>=\$2,500)	F-2	10	POG3				
7314(a)	Fraudulent traffic in SNAP benefits (\$1,000-<\$2,500)	F-3	7	POG2				
7314(a)	Fraudulent traffic in SNAP benefits (<\$1,000)	M-1	7	POG1				
7316(a)	Keeping bucket-shop	M-3	2	POG1				
7317(a)	Accessories in conduct of bucket-shop	M-3	2	POG1				
7318(a)	Maintaining premises of bucket-shop	M-3	2	POG1				
7319(b)	Bucket-shop contracts	M-3	2	POG1				
7321(a)	Lie detector tests-require for employment	M-2	5	POG1				
7322	Demanding property/money to secure employment	M-3	2	POG1				
7323	Discrimination on account of U.S. armed forces uniform	M-2	5	POG1				
7324(b)	Unlaw. sale of dissertations/etc.-sale of assistance	M-3	2	POG1				
7324(c)	Unlaw. sale of dissertations/etc.-sale of assignment	M-3	2	POG1				
7324(d)	Unlaw. sale of dissertations/etc.-distribution for sale	M-3	2	POG1				
7326(a)	Disclosure of confidential tax information	M-3	2	POG1				
7328(a)	Operation of unauthorized bottle club	M-3	2	POG1				
7503(a)	Architects/engineers-interest in public works contracts	M-3	2	POG1				
7504(a)	Appointment of special police	M-3	2	POG1				
7507	Breach of privacy-use stress monitor w/o consent	M-2	5	POG1				
7507.1(a)(1)	Invasion of privacy-view/photograph person w/o consent (single violation)	M-3	5	POG1		x		
7507.1(a)(1)	Invasion of privacy-view/photograph person w/o consent (>1 violation)	M-2	7	POG1		x		

<i>18 Pa.C.S. §</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Prior Offense Group (POG)</i>	<i>POG3 Article B and VUFA</i>	<i>Megan's Law</i>	<i>Crimes of Violence</i>	<i>Enhance</i>
7507.1(a)(2)	Invasion of privacy-view/photograph intimate parts w/o consent (single violation)	M-3	5	POG1		x		
7507.1(a)(2)	Invasion of privacy-view/photograph intimate parts w/o consent (>1 violation)	M-2	7	POG1		x		
7507.1(a)(3)	Invasion of privacy-transfer image (single violation)	M-3	5	POG1		x		
7507.1(a)(3)	Invasion of privacy-transfer image (>1 violation)	M-2	7	POG1		x		
7508.2(a)	Operate meth lab-cause chemical reaction	F-2	12	POG3				
7508.2(a)	Operate meth lab-cause chemical reaction (w/in 1000 ft of school)	F-1	13	POG3				
7509(a)	Furnishing drug-free urine: unlaw. sale	M-3	2	POG1				
7509(b)	Furnishing drug-free urine: unlaw. use	M-3	2	POG1				
7510(a)	Municipal housing code avoidance (4th off)	M-2	5	POG1				
7510(a)	Municipal housing code avoidance (5th/subseq. off)	M-1	7	POG1				
7512(a)	Criminal use of communication facility	F-3	7	POG2				
7515(a)(1)	Contingent compensation-compensate other	M-3	2	POG1				
7515(a)(2)	Contingent compensation-agree to lobby	M-3	2	POG1				
7516(a)	Greyhound racing-for remuneration	M-1	7	POG1				
7517(b)	Commemorative service demonstration activities	M-3	2	POG1				
7611(a)(1)	Unlawful use of computer-access w/ intent to disrupt function	F-3	10	POG2				
7611(a)(2)	Unlawful use of computer-access/interfere/damage/destroy	F-3	10	POG2				
7611(a)(3)	Unlawful use of computer-provide password/ID code/PIN/etc.	F-3	10	POG2				
7612(a)	Disruption of computer service	F-3	10	POG2				
7613(a)	Computer theft	F-3	10	POG2				
7614(a)	Unlawful duplication (>\$2500)	F-2	10	POG3				
7614(a)	Unlawful duplication (<=\$2500)	F-3	10	POG2				
7615(a)(1)	Computer trespass-remove data/programs	F-3	10	POG2				
7615(a)(2)	Computer trespass-cause malfunction	F-3	10	POG2				
7615(a)(3)	Computer trespass-alter/erase data	F-3	10	POG2				
7615(a)(4)	Computer trespass-transfer funds	F-3	10	POG2				
7615(a)(5)	Computer trespass-cause physical injury to property	F-3	10	POG2				
7616(a)(1)	Distribution of a computer virus-prevent/disrupt operation	F-3	10	POG2				
7616(a)(2)	Distribution of a computer virus-degrade/destroy performance	F-3	10	POG2				

<i>18 Pa.C.S. §</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Prior Offense Group (POG)</i>	<i>POG3 Article B and VUFA</i>	<i>Megan's Law</i>	<i>Crimes of Violence</i>	<i>Enhance</i>
7622	Duty of internet provider-disable child porn access (1st off)	M-3	2	POG1				
7622	Duty of internet provider-disable child porn access (2nd off)	M-2	5	POG1				
7622	Internet service provider-disable child porn access (3rd/subseq. off)	F-3	8	POG2				
7641(a)	Computer-assisted remote harvesting of animals	M-3	2	POG1				
7661(a)(1)	Unlaw. transmis. email-forge/falsify	M-3	2	POG1				
7661(a)(1)	Unlaw. transmis. email-forge/falsify (malicious damage; >=\$2500)	F-3	10	POG2				
7661(a)(1)	Unlaw. transmis. email-forge/falsify (reckless damage; >=\$2500)	M-1	8	POG1				
7661(a)(2)(i)	Unlaw. transmis. email-sell software to falsify	M-3	2	POG1				
7661(a)(2)(i)	Unlaw. transmis. email-sell software to falsify (malicious damage; >=\$2500)	F-3	10	POG2				
7661(a)(2)(i)	Unlaw. transmis. email-sell software to falsify (reckless damage; >=\$2500)	M-1	8	POG1				
7661(a)(2)(ii)	Unlaw. transmis. email-sell software w/ limited purpose	M-3	2	POG1				
7661(a)(2)(ii)	Unlaw. transmis. email-sell software w/ limited purpose (malicious damage; >=\$2500)	F-3	10	POG2				
7661(a)(2)(ii)	Unlaw. transmis. email-sell software w/ limited purpose (reckless damage; >=\$2500)	M-1	8	POG1				
7661(a)(2)(iii)	Unlaw. transmis. email-sell software known to falsify	M-3	2	POG1				
7661(a)(2)(iii)	Unlaw. transmis. email-sell software known to falsify (malicious damage; >=\$2500)	F-3	10	POG2				
7661(a)(2)(iii)	Unlaw. transmis. email-sell software known to falsify (reckless damage; >=\$2500)	M-1	8	POG1				
7702(1)	Owning/operating/conducting a chop shop	F-2	10	POG3				
7702(2)	Owning/operating/conducting a chop shop-transfer/sell vehicle	F-2	10	POG3				
7703	Altered or illegally obtained property-veh ID num	F-3	8	POG2				
7704	Altered or illegally obtained property-disposition	F-3	8	POG2				

TABLE B-2—OGS-POG Assignments, Title 35

<i>35 P.S. § 780-113</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Prior Offense Group (POG)</i>
(a)(1)	Manufacture/sale/delivery-adulterated controlled substance (1st off)	M	7	POG1
(a)(1)	Manufacture/sale/delivery-adulterated controlled substance (2nd/subsq off)	M	8	POG1
(a)(2)	Adulterate/misbrand-controlled substance (1st off)	M	7	POG1
(a)(2)	Adulterate/misbrand-controlled substance (2nd/subsq off)	M	8	POG1
(a)(3)	False/misleading advertisement (1st off)	M	7	POG1
(a)(3)	False/misleading advertisement (2nd/subsq off)	M	8	POG1
(a)(4)	Removal/disposal-detained substance (1st off)	M	8	POG1
(a)(4)	Removal/disposal-detained substance (2nd/subsq off)	M	8	POG1
(a)(5)	Adulterate/destroy label-controlled substance for sale (1st off)	M	7	POG1
(a)(5)	Adulterate/destroy label-controlled substance for sale (2nd/subsq off)	M	8	POG1
(a)(6)	Forge/counterfeit w/ mark/ID symbol (1st off)	M	8	POG1
(a)(6)	Forge/counterfeit w/ mark/ID symbol (2nd/subsq off)	M	8	POG1
(a)(7)	Place trademark on controlled substance to defraud (1st off)	M	8	POG1
(a)(7)	Place trademark on controlled substance to defraud (2nd/subsq off)	M	8	POG1
(a)(8)	Selling controlled substance w/ defrauded trademark (1st off)	M	8	POG1
(a)(8)	Selling controlled substance w/ defrauded trademark (2nd/subsq off)	M	8	POG1
(a)(9)	Selling trademark equipment to defraud (1st off)	M	8	POG1
(a)(9)	Selling trademark equipment to defraud (2nd/subsq off)	M	8	POG1
(a)(10)	Illegal sale of nonproprietary drug (1st off)	M	7	POG1
(a)(10)	Illegal sale of nonproprietary drug (2nd/subsq off)	M	8	POG1
(a)(11)	Illegal pharmacy operations (1st off)	M	8	POG1
(a)(11)	Illegal pharmacy operations (2nd/subsq off)	M	8	POG1
(a)(12)*	Acquisition of controlled substance by fraud-heroin (>1000 g)	F	16	POG2
(a)(12)*	Acquisition of controlled substance by fraud-heroin (100-1000 g)	F	16	POG2
(a)(12)*	Acquisition of controlled substance by fraud-heroin (50-<100 g)	F	16	POG2
(a)(12)*	Acquisition of controlled substance by fraud-heroin (10-<50 g)	F	12	POG2
(a)(12)*	Acquisition of controlled substance by fraud-heroin (1-<10 g)	F	10	POG2
(a)(12)*	Acquisition of controlled substance by fraud-heroin (<1 g)	F	9	POG2
(a)(12)*	Acquisition of controlled substance by fraud-other narcotics, Sched I & II (>1000 g)	F	16	POG2
(a)(12)*	Acquisition of controlled substance by fraud-other narcotics, Sched I & II (>1000 pills)	F	16	POG2
(a)(12)*	Acquisition of controlled substance by fraud-other narcotics, Sched I & II (100-1000 g)	F	16	POG2
(a)(12)*	Acquisition of controlled substance by fraud-other narcotics, Sched I & II (100-1000 pills)	F	16	POG2
(a)(12)*	Acquisition of controlled substance by fraud-other narcotics, Sched I & II (50-<100 g)	F	16	POG2
(a)(12)*	Acquisition of controlled substance by fraud-other narcotics, Sched I & II (50-<100 pills)	F	16	POG2
(a)(12)*	Acquisition of controlled substance by fraud-other narcotics, Sched I & II (10-<50 g)	F	12	POG2

<i>35 P.S. § 780-113</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Prior Offense Group (POG)</i>
(a)(12)*	Acquisition of controlled substance by fraud-other narcotics, Sched I & II (10-<50 pills)	F	12	POG2
(a)(12)*	Acquisition of controlled substance by fraud-other narcotics, Sched I & II (1-<10 g)	F	10	POG2
(a)(12)*	Acquisition of controlled substance by fraud-other narcotics, Sched I & II (1-<10 pills)	F	10	POG2
(a)(12)*	Acquisition of controlled substance by fraud-other narcotics, Sched I & II (<1 g)	F	9	POG2
(a)(12)*	Acquisition of controlled substance by fraud-cocaine (>1000 g)	F	16	POG2
(a)(12)*	Acquisition of controlled substance by fraud-cocaine (100-1000 g)	F	16	POG2
(a)(12)*	Acquisition of controlled substance by fraud-cocaine (50-<100 g)	F	16	POG2
(a)(12)*	Acquisition of controlled substance by fraud-cocaine (10-<50 g)	F	12	POG2
(a)(12)*	Acquisition of controlled substance by fraud-cocaine (5-<10 g)	F	10	POG2
(a)(12)*	Acquisition of controlled substance by fraud-cocaine (2-<5 g)	F	10	POG2
(a)(12)*	Acquisition of controlled substance by fraud-cocaine (<2 g)	F	8	POG2
(a)(12)*	Acquisition of controlled substance by fraud-methamphetamine (>1000 g)	F	16	POG2
(a)(12)*	Acquisition of controlled substance by fraud-methamphetamine (100-1000 g)	F	16	POG2
(a)(12)*	Acquisition of controlled substance by fraud-methamphetamine (50-<100 g)	F	16	POG2
(a)(12)*	Acquisition of controlled substance by fraud-methamphetamine (10-<50 g)	F	12	POG2
(a)(12)*	Acquisition of controlled substance by fraud-methamphetamine (2.5-<10 g)	F	10	POG2
(a)(12)*	Acquisition of controlled substance by fraud-methamphetamine (<2.5 g)	F	9	POG2
(a)(12)*	Acquisition of controlled substance by fraud-PCP (>1000 g)	F	16	POG2
(a)(12)*	Acquisition of controlled substance by fraud-PCP (100-1000 g)	F	16	POG2
(a)(12)*	Acquisition of controlled substance by fraud-PCP (50-<100 g)	F	16	POG2
(a)(12)*	Acquisition of controlled substance by fraud-PCP (10-<50 g)	F	12	POG2
(a)(12)*	Acquisition of controlled substance by fraud-PCP (2.5-<10 g)	F	10	POG2
(a)(12)*	Acquisition of controlled substance by fraud-PCP (<2.5 g)	F	9	POG2
(a)(12)*	Acquisition of controlled substance by fraud-MDMA (>1000 g)	F	16	POG2
(a)(12)*	Acquisition of controlled substance by fraud-MDMA (100-1000 g)	F	16	POG2
(a)(12)*	Acquisition of controlled substance by fraud-MDMA (50-<100 g)	F	16	POG2
(a)(12)*	Acquisition of controlled substance by fraud-MDMA (10-<50 g)	F	12	POG2
(a)(12)*	Acquisition of controlled substance by fraud-MDMA (2.5-<10 g)	F	10	POG2
(a)(12)*	Acquisition of controlled substance by fraud-MDMA (<2.5 g)	F	9	POG2
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (>1000 lbs.)	F	16	POG2
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (>5000 plants)	F	16	POG2
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (50-1000 lbs.)	F	12	POG2

<i>35 P.S. § 780-113</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Prior Offense Group (POG)</i>
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (51-5000 plants)	F	12	POG2
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (10-<50 lbs.)	F	10	POG2
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (21-<51 plants)	F	10	POG2
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (1-<10 lbs.)	F	8	POG2
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (10-<21 plants)	F	8	POG2
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (<1 lb.)	F	7	POG2
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (<10 plants)	F	7	POG2
(a)(12)*	Acquisition of controlled substance by fraud-Sched I	F	8	POG2
(a)(12)*	Acquisition of controlled substance by fraud-Sched II	F	8	POG2
(a)(12)*	Acquisition of controlled substance by fraud-Sched III	F	8	POG2
(a)(12)*	Acquisition of controlled substance by fraud-Sched IV	F	8	POG2
(a)(12)*	Acquisition of controlled substance by fraud-Sched V	M	7	POG1
(a)(13)	Dispense drugs to dependent person (1st off)	M	7	POG1
(a)(13)	Dispense drugs to dependent person (2nd/subsq off)	M	8	POG1
(a)(14)*	Delivery by practitioner-heroin (>1000 g)	F	16	POG2
	Distribution to minors (35 P.S. § 780-114)		17	POG2
(a)(14)*	Delivery by practitioner-heroin (100-1000 g)	F	16	POG2
	Distribution to minors (35 P.S. § 780-114)		17	POG2
(a)(14)*	Delivery by practitioner-heroin (50-<100 g)	F	16	POG2
	Distribution to minors (35 P.S. § 780-114)		17	POG2
(a)(14)*	Delivery by practitioner-heroin (10-<50 g)	F	12	POG2
	Distribution to minors (35 P.S. § 780-114)		13	POG2
(a)(14)*	Delivery by practitioner-heroin (1-<10 g)	F	10	POG2
	Distribution to minors (35 P.S. § 780-114)		12	POG2
(a)(14)*	Delivery by practitioner-heroin (<1 g)	F	9	POG2
	Distribution to minors (35 P.S. § 780-114)		11	POG2
(a)(14)*	Delivery by practitioner-fentanyl and its derivatives and analogues (>=100 g)	F	22	POG2
	Distribution to minors (35 P.S. § 780-114)		24	POG2
(a)(14)*	Delivery by practitioner-fentanyl and its derivatives and analogues (50-<100 g)	F	22	POG2
	Distribution to minors (35 P.S. § 780-114)		24	POG2
(a)(14)*	Delivery by practitioner-fentanyl and its derivatives and analogues (10-<50 g)	F	18	POG2
	Distribution to minors (35 P.S. § 780-114)		22	POG2
(a)(14)*	Delivery by practitioner-fentanyl and its derivatives and analogues (1-<10 g)	F	16	POG2
	Distribution to minors (35 P.S. § 780-114)		17	POG2
(a)(14)*	Delivery by practitioner-fentanyl and its derivatives and analogues (<1 g)	F	12	POG2
	Distribution to minors (35 P.S. § 780-114)		13	POG2
(a)(14)*	Delivery by practitioner-other narcotics Sched I & II (>1000 g)	F	16	POG2
	Distribution to minors (35 P.S. § 780-114)		17	POG2

<i>35 P.S. § 780-113</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Prior Offense Group (POG)</i>
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (>1000 pills)	F	16	POG2
	Distribution to minors (35 P.S. § 780-114)		17	POG2
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (100-1000 g)	F	16	POG2
	Distribution to minors (35 P.S. § 780-114)		17	POG2
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (100-1000 pills)	F	16	POG2
	Distribution to minors (35 P.S. § 780-114)		17	POG2
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (50-<100 g)	F	16	POG2
	Distribution to minors (35 P.S. § 780-114)		7	POG2
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (50-<100 pills)	F	16	POG2
	Distribution to minors (35 P.S. § 780-114)		17	POG2
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (10-<50 g)	F	12	POG2
	Distribution to minors (35 P.S. § 780-114)		13	POG2
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (10-<50 pills)	F	12	POG2
	Distribution to minors (35 P.S. § 780-114)		13	POG2
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (1-<10 g)	F	10	POG2
	Distribution to minors (35 P.S. § 780-114)		12	POG2
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (1-<10 pills)	F	10	POG2
	Distribution to minors (35 P.S. § 780-114)		12	POG2
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (<1 g)	F	9	POG2
	Distribution to minors (35 P.S. § 780-114)		11	POG2
(a)(14)*	Delivery by practitioner-cocaine (>1000 g)	F	16	POG2
	Distribution to minors (35 P.S. § 780-114)		17	POG2
(a)(14)*	Delivery by practitioner-cocaine (100-1000 g)	F	16	POG2
	Distribution to minors (35 P.S. § 780-114)		17	POG2
(a)(14)*	Delivery by practitioner-cocaine (50-<100 g)	F	16	POG2
	Distribution to minors (35 P.S. § 780-114)		17	POG2
(a)(14)*	Delivery by practitioner-cocaine (10-<50 g)	F	12	POG2
	Distribution to minors (35 P.S. § 780-114)		13	POG2
(a)(14)*	Delivery by practitioner-cocaine (5-<10 g)	F	10	POG2
	Distribution to minors (35 P.S. § 780-114)		12	POG2
(a)(14)*	Delivery by practitioner-cocaine (2-<5 g)	F	10	POG2
	Distribution to minors (35 P.S. § 780-114)		12	POG2
(a)(14)*	Delivery by practitioner-cocaine (<2 g)	F	8	POG2
	Distribution to minors (35 P.S. § 780-114)		12	POG2
(a)(14)*	Delivery by practitioner-methamphetamine (>1000 g)	F	16	POG2
	Distribution to minors (35 P.S. § 780-114)		17	POG2
(a)(14)*	Delivery by practitioner-methamphetamine (100-1000 g)	F	16	POG2
	Distribution to minors (35 P.S. § 780-114)		17	POG2
(a)(14)*	Delivery by practitioner-methamphetamine (50-<100 g)	F	16	POG2
	Distribution to minors (35 P.S. § 780-114)		17	POG2

<i>35 P.S. § 780-113</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Prior Offense Group (POG)</i>
(a)(14)*	Delivery by practitioner-methamphetamine (10-<50 g)	F	12	POG2
	Distribution to minors (35 P.S. § 780-114)		13	POG2
(a)(14)*	Delivery by practitioner-methamphetamine (2.5-<10 g)	F	10	POG2
	Distribution to minors (35 P.S. § 780-114)		12	POG2
(a)(14)*	Delivery by practitioner-methamphetamine (<2.5 g)	F	9	POG2
	Distribution to minors (35 P.S. § 780-114)		11	POG2
(a)(14)*	Delivery by practitioner-PCP (>1000 g)	F	16	POG2
	Distribution to minors (35 P.S. § 780-114)		17	POG2
(a)(14)*	Delivery by practitioner-PCP (100-1000 g)	F	16	POG2
	Distribution to minors (35 P.S. § 780-114)		17	POG2
(a)(14)*	Delivery by practitioner-PCP (50-<100 g)	F	16	POG2
	Distribution to minors (35 P.S. § 780-114)		17	POG2
(a)(14)*	Delivery by practitioner-PCP (10-<50 g)	F	12	POG2
	Distribution to minors (35 P.S. § 780-114)		13	POG2
(a)(14)*	Delivery by practitioner-PCP (2.5-< 10 g)	F	10	POG2
	Distribution to minors (35 P.S. § 780-114)		12	POG2
(a)(14)*	Delivery by practitioner-PCP (<2.5 g)	F	9	POG2
	Distribution to minors (35 P.S. § 780-114)		11	POG2
(a)(14)*	Delivery by practitioner-MDMA (>1000 g)	F	16	POG2
	Distribution to minors (35 P.S. § 780-114)		17	POG2
(a)(14)*	Delivery by practitioner-MDMA (100-1000 g)	F	16	POG2
	Distribution to minors (35 P.S. § 780-114)		17	POG2
(a)(14)*	Delivery by practitioner-MDMA (50-<100 g)	F	16	POG2
	Distribution to minors (35 P.S. § 780-114)		17	POG2
(a)(14)*	Delivery by practitioner-MDMA (10-<50 g)	F	12	POG2
	Distribution to minors (35 P.S. § 780-114)		13	POG2
(a)(14)*	Delivery by practitioner-MDMA (2.5-< 10 g)	F	10	POG2
	Distribution to minors (35 P.S. § 780-114)		12	POG2
(a)(14)*	Delivery by practitioner-MDMA (<2.5 g)	F	9	POG2
	Distribution to minors (35 P.S. § 780-114)		11	POG2
(a)(14)*	Delivery by practitioner-marijuana (>1000 lbs.)	F	12	POG2
	Distribution to minors (35 P.S. § 780-114)		13	POG2
(a)(14)*	Delivery by practitioner-marijuana (>5000 plants)	F	12	POG2
	Distribution to minors (35 P.S. § 780-114)		13	POG2
(a)(14)*	Delivery by practitioner-marijuana (50-1000 lbs.)	F	12	POG2
	Distribution to minors (35 P.S. § 780-114)		13	POG2
(a)(14)*	Delivery by practitioner-marijuana (51-5000 plants)	F	12	POG2
	Distribution to minors (35 P.S. § 780-114)		13	POG2
(a)(14)*	Delivery by practitioner-marijuana (10-<50 lbs.)	F	10	POG2
	Distribution to minors (35 P.S. § 780-114)		12	POG2
(a)(14)*	Delivery by practitioner-marijuana (21-<51 plants)	F	10	POG2
	Distribution to minors (35 P.S. § 780-114)		12	POG2
(a)(14)*	Delivery by practitioner-marijuana (1-<10 lbs.)	F	8	POG2
	Distribution to minors (35 P.S. § 780-114)		11	POG2
(a)(14)*	Delivery by practitioner-marijuana (10-<21 plants)	F	8	POG2
	Distribution to minors (35 P.S. § 780-114)		11	POG2

<i>35 P.S. § 780-113</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Prior Offense Group (POG)</i>
(a)(14)*	Delivery by practitioner-marijuana (<1 lb.)	F	7	POG2
	Distribution to minors (35 P.S. § 780-114)		8	POG2
(a)(14)*	Delivery by practitioner-marijuana (<10 plants)	F	7	POG2
	Distribution to minors (35 P.S. § 780-114)		8	POG2
(a)(14)*	Delivery by practitioner-Sched I	F	8	POG2
	Distribution to minors (35 P.S. § 780-114)		10	POG2
(a)(14)*	Delivery by practitioner-Sched II	F	8	POG2
	Distribution to minors (35 P.S. § 780-114)		10	POG2
(a)(14)*	Delivery by practitioner-Sched III	F	8	POG2
	Distribution to minors (35 P.S. § 780-114)		10	POG2
(a)(14)*	Delivery by practitioner-Sched IV	F	8	POG2
	Distribution to minors (35 P.S. § 780-114)		10	POG2
(a)(14)*	Delivery by practitioner-Sched V	M	7	POG1
	Distribution to minors (35 P.S. § 780-114)		8	POG1
(a)(15)	Illegal retail sale-controlled substance (1st off)	M	7	POG1
(a)(15)	Illegal retail sale-controlled substance (2nd/subsq off)	M	8	POG1
(a)(16)	Simple possession (1st off)	M	5	POG1
(a)(16)	Simple possession (2nd/subsq off)	M	6	POG1
(a)(16)	Simple possession-GHB (1st off)	F	8	POG2
(a)(16)	Simple possession-GHB (2nd/sub off)	F	8	POG2
(a)(17)	Dispense drugs w/o label by practitioner (1st off)	M	7	POG1
(a)(17)	Dispense drugs w/o label by practitioner (2nd/subsq off)	M	8	POG1
(a)(18)	Illegal sale container (1st off)	M	7	POG1
(a)(18)	Illegal sale container (2nd/subsq off)	M	8	POG1
(a)(19)	Intentional unauthorized purchase (1st off)	M	7	POG1
(a)(19)	Intentional unauthorized purchase (2nd/subsq off)	M	8	POG1
(a)(20)	Divulging trade secret (1st off)	M	7	POG1
(a)(20)	Divulging trade secret (2nd/subsq off)	M	8	POG1
(a)(21)	Failure to keep records (1st off)	M	5	POG1
(a)(21)	Failure to keep records (2nd/subsq off)	M	6	POG1
(a)(22)	Refusal of inspection (1st off)	M	5	POG1
(a)(22)	Refusal of inspection (2nd/subsq off)	M	6	POG1
(a)(23)	Unauthorized removal of seals	M	8	POG1
(a)(24)	Failure to obtain license (1st off)	M	5	POG1
(a)(24)	Failure to obtain license (2nd/subsq off)	M	6	POG1
(a)(25)	Manufacture by unauthorized party	M	8	POG1
(a)(26)	Distribution by registrant of Schedule I or II	M	8	POG1
(a)(27)	Use of fictitious registration number	M	8	POG1
(a)(28)	Furnish false application material	M	8	POG1
(a)(29)	Production of counterfeit trademarks equipment	M	8	POG1
(a)(30)*	Possession with intent to deliver-heroin (>1000 g)	F	16	POG2
	Distribution to minors (35 P.S. § 780-114)		17	POG2
	Second or subsequent offense (35 P.S. § 780-115)		17	POG2
(a)(30)*	Possession with intent to deliver-heroin (100-1000 g)	F	16	POG2
	Distribution to minors (35 P.S. § 780-114)		17	POG2
	Second or subsequent offense (35 P.S. § 780-115)		17	POG2

<i>35 P.S. § 780-113</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Prior Offense Group (POG)</i>
(a)(30)*	Possession with intent to deliver-heroin (50-<100 g)	F	16	POG2
	Distribution to minors (35 P.S. § 780-114)		17	POG2
	Second or subsequent offense (35 P.S. § 780-115)		17	POG2
(a)(30)*	Possession with intent to deliver-heroin (10-<50 g)	F	12	POG2
	Distribution to minors (35 P.S. § 780-114)		13	POG2
	Second or subsequent offense (35 P.S. § 780-115)			POG2
(a)(30)*	Possession with intent to deliver-heroin (1-<10 g)	F	10	POG2
	Distribution to minors (35 P.S. § 780-114)		12	POG2
	Second or subsequent offense (35 P.S. § 780-115)		12	POG2
(a)(30)*	Possession with intent to deliver-heroin (<1 g)	F	9	POG2
	Distribution to minors (35 P.S. § 780-114)		11	POG2
	Second or subsequent offense (35 P.S. § 780-115)		11	POG2
(a)(30)*	Possession with intent to deliver-fentanyl and its derivatives and analogues (>=100 g)	F	22	POG2
	Distribution to minors (35 P.S. § 780-114)		24	POG2
	Second or subsequent offense (35 P.S. § 780-115)		24	POG2
(a)(30)*	Possession with intent to deliver-fentanyl and its derivatives and analogues (50-<100 g)	F	22	POG2
	Distribution to minors (35 P.S. § 780-114)		24	POG2
	Second or subsequent offense (35 P.S. § 780-115)		24	POG2
(a)(30)*	Possession with intent to deliver-fentanyl and its derivatives and analogues (10-<50 g)	F	18	POG2
	Distribution to minors (35 P.S. § 780-114)		22	POG2
	Second or subsequent offense (35 P.S. § 780-115)		22	POG2
(a)(30)*	Possession with intent to deliver-fentanyl and its derivatives and analogues (1-<10 g)	F	16	POG2
	Distribution to minors (35 P.S. § 780-114)		17	POG2
	Second or subsequent offense (35 P.S. § 780-115)		17	POG2
(a)(30)*	Possession with intent to deliver-fentanyl and its derivatives and analogues (<1 g)	F	12	POG2
	Distribution to minors (35 P.S. § 780-114)		13	POG2
	Second or subsequent offense (35 P.S. § 780-115)		13	POG2
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (>1000 g)	F	16	POG2
	Distribution to minors (35 P.S. § 780-114)		17	POG2
	Second or subsequent offense (35 P.S. § 780-115)		17	POG2
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (>1000 pills)	F	16	POG2
	Distribution to minors (35 P.S. § 780-114)		17	POG2
	Second or subsequent offense (35 P.S. § 780-115)		17	POG2
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (100-1000 g)	F	16	POG2
	Distribution to minors (35 P.S. § 780-114)		17	POG2
	Second or subsequent offense (35 P.S. § 780-115)		17	POG2
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (100-1000 pills)	F	16	POG2
	Distribution to minors (35 P.S. § 780-114)		17	POG2
	Second or subsequent offense (35 P.S. § 780-115)		17	POG2

<i>35 P.S. § 780-113</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Prior Offense Group (POG)</i>
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (50-<100 g)	F	16	POG2
	Distribution to minors (35 P.S. § 780-114)		17	POG2
	Second or subsequent offense (35 P.S. § 780-115)		17	POG2
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (50-<100 pills)	F	16	POG2
	Distribution to minors (35 P.S. § 780-114)		17	POG2
	Second or subsequent offense (35 P.S. § 780-115)		17	POG2
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (10-<50 g)	F	12	POG2
	Distribution to minors (35 P.S. § 780-114)		13	POG2
	Second or subsequent offense (35 P.S. § 780-115)		13	POG2
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (10-<50 pills)	F	12	POG2
	Distribution to minors (35 P.S. § 780-114)		13	POG2
	Second or subsequent offense (35 P.S. § 780-115)		13	POG2
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (1-<10 g)	F	10	POG2
	Distribution to minors (35 P.S. § 780-114)		12	POG2
	Second or subsequent offense (35 P.S. § 780-115)		12	POG2
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (1-<10 pills)	F	10	POG2
	Distribution to minors (35 P.S. § 780-114)		12	POG2
	Second or subsequent offense (35 P.S. § 780-115)		12	POG2
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (<1 g)	F	9	POG2
	Distribution to minors (35 P.S. § 780-114)		11	POG2
	Second or subsequent offense (35 P.S. § 780-115)		11	POG2
(a)(30)*	Possession with intent to deliver-cocaine (>1000 g)	F	16	POG2
	Distribution to minors (35 P.S. § 780-114)		17	POG2
	Second or subsequent offense (35 P.S. § 780-115)		17	POG2
(a)(30)*	Possession with intent to deliver-cocaine (100-1000 g)	F	16	POG2
	Distribution to minors (35 P.S. § 780-114)		17	POG2
	Second or subsequent offense (35 P.S. § 780-115)		17	POG2
(a)(30)*	Possession with intent to deliver-cocaine (50-<100 g)	F	16	POG2
	Distribution to minors (35 P.S. § 780-114)		17	POG2
	Second or subsequent offense (35 P.S. § 780-115)		17	POG2
(a)(30)*	Possession with intent to deliver-cocaine (10-<50 g)	F	12	POG2
	Distribution to minors (35 P.S. § 780-114)		13	POG2
	Second or subsequent offense (35 P.S. § 780-115)		13	POG2
(a)(30)*	Possession with intent to deliver-cocaine (5-<10 g)	F	10	POG2
	Distribution to minors (35 P.S. § 780-114)		12	POG2
	Second or subsequent offense (35 P.S. § 780-115)		2	POG2
(a)(30)*	Possession with intent to deliver-cocaine (2-<5 g)	F	10	POG2
	Distribution to minors (35 P.S. § 780-114)		12	POG2
	Second or subsequent offense (35 P.S. § 780-115)		12	POG2
(a)(30)*	Possession with intent to deliver-cocaine (<2 g)	F	8	POG2
	Distribution to minors (35 P.S. § 780-114)		11	POG2

<i>35 P.S. § 780-113</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Prior Offense Group (POG)</i>
	Second or subsequent offense (35 P.S. § 780-115)		11	POG2
(a)(30)*	Possession with intent to deliver-methamphetamine (>1000 g)	F	16	POG2
	Distribution to minors (35 P.S. § 780-114)		17	POG2
	Second or subsequent offense (35 P.S. § 780-115)		17	POG2
(a)(30)*	Possession with intent to deliver-methamphetamine (100-1000 g)	F	16	POG2
	Distribution to minors (35 P.S. § 780-114)		17	POG2
	Second or subsequent offense (35 P.S. § 780-115)		17	POG2
(a)(30)*	Possession with intent to deliver-methamphetamine (50-<100 g)	F	16	POG2
	Distribution to minors (35 P.S. § 780-114)		17	POG2
	Second or subsequent offense (35 P.S. § 780-115)		17	POG2
(a)(30)*	Possession with intent to deliver-methamphetamine (10-<50 g)	F	12	POG2
	Distribution to minors (35 P.S. § 780-114)		13	POG2
	Second or subsequent offense (35 P.S. § 780-115)		13	POG2
(a)(30)*	Possession with intent to deliver-methamphetamine (2.5-<10 g)	F	10	POG2
	Distribution to minors (35 P.S. § 780-114)		12	POG2
	Second or subsequent offense (35 P.S. § 780-115)		12	POG2
(a)(30)*	Possession with intent to deliver-methamphetamine (<2.5 g)	F	9	POG2
	Distribution to minors (35 P.S. § 780-114)		11	POG2
	Second or subsequent offense (35 P.S. § 780-115)		11	POG2
(a)(30)*	Possession with intent to deliver-PCP (>1000 g)	F	16	POG2
	Distribution to minors (35 P.S. § 780-114)		17	POG2
	Second or subsequent offense (35 P.S. § 780-115)		17	POG2
(a)(30)*	Possession with intent to deliver-PCP (100-1000 g)	F	16	POG2
	Distribution to minors (35 P.S. § 780-114)		17	POG2
	Second or subsequent offense (35 P.S. § 780-115)		17	POG2
(a)(30)*	Possession with intent to deliver-PCP (50-<100 g)	F	16	POG2
	Distribution to minors (35 P.S. § 780-114)		17	POG2
	Second or subsequent offense (35 P.S. § 780-115)		17	POG2
(a)(30)*	Possession with intent to deliver-PCP (10-<50 g)	F	12	POG2
	Distribution to minors (35 P.S. § 780-114)		13	POG2
	Second or subsequent offense (35 P.S. § 780-115)		13	POG2
(a)(30)*	Possession with intent to deliver-PCP (2.5-<10 g)	F	10	POG2
	Distribution to minors (35 P.S. § 780-114)		12	POG2
	Second or subsequent offense (35 P.S. § 780-115)		12	POG2
(a)(30)*	Possession with intent to deliver-PCP (<2.5 g)	F	9	POG2
	Distribution to minors (35 P.S. § 780-114)		11	POG2
	Second or subsequent offense (35 P.S. § 780-115)		11	POG2
(a)(30)*	Possession with intent to deliver-MDMA (>1000 g)	F	16	POG2
	Distribution to minors (35 P.S. § 780-114)		17	POG2
	Second or subsequent offense (35 P.S. § 780-115)		17	POG2
(a)(30)*	Possession with intent to deliver-MDMA (100-1000 g)	F	16	POG2
	Distribution to minors (35 P.S. § 780-114)		17	POG2
	Second or subsequent offense (35 P.S. § 780-115)		17	POG2
(a)(30)*	Possession with intent to deliver-MDMA (50-<100 g)	F	16	POG2

<i>35 P.S. § 780-113</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Prior Offense Group (POG)</i>
	Distribution to minors (35 P.S. § 780-114)		17	POG2
	Second or subsequent offense (35 P.S. § 780-115)		17	POG2
(a)(30)*	Possession with intent to deliver-MDMA (10-<50 g)	F	12	POG2
	Distribution to minors (35 P.S. § 780-114)		13	POG2
	Second or subsequent offense (35 P.S. § 780-115)		13	POG2
(a)(30)*	Possession with intent to deliver-MDMA (2.5-<10 g)	F	10	POG2
	Distribution to minors (35 P.S. § 780-114)		12	POG2
	Second or subsequent offense (35 P.S. § 780-115)		12	POG2
(a)(30)*	Possession with intent to deliver-MDMA (<2.5 g)	F	9	POG2
	Distribution to minors (35 P.S. § 780-114)		11	POG2
	Second or subsequent offense (35 P.S. § 780-115)		11	POG2
(a)(30)*	Possession with intent to deliver-marijuana (>1000 lbs.)	F	12	POG2
	Distribution to minors (35 P.S. § 780-114)		13	POG2
	Second or subsequent offense (35 P.S. § 780-115)		13	POG2
(a)(30)*	Possession with intent to deliver-marijuana (>5000 plants)	F	12	POG2
	Distribution to minors (35 P.S. § 780-114)		13	POG2
	Second or subsequent offense (35 P.S. § 780-115)		13	POG2
(a)(30)*	Possession with intent to deliver-marijuana (50-1000 lbs.)	F	12	POG2
	Distribution to minors (35 P.S. § 780-114)		13	POG2
	Second or subsequent offense (35 P.S. § 780-115)		13	POG2
(a)(30)*	Possession with intent to deliver-marijuana (51-5000 plants)	F	12	POG2
	Distribution to minors (35 P.S. § 780-114)		13	POG2
	Second or subsequent offense (35 P.S. § 780-115)		13	POG2
(a)(30)*	Possession with intent to deliver-marijuana (10-<50 lbs.)	F	10	POG2
	Distribution to minors (35 P.S. § 780-114)		12	POG2
	Second or subsequent offense (35 P.S. § 780-115)		12	POG2
(a)(30)*	Possession with intent to deliver-marijuana (21-<51 plants)	F	10	POG2
	Distribution to minors (35 P.S. § 780-114)		12	POG2
	Second or subsequent offense (35 P.S. § 780-115)		12	POG2
(a)(30)*	Possession with intent to deliver-marijuana (1-<10 lbs.)	F	8	POG2
	Distribution to minors (35 P.S. § 780-114)		11	POG2
	Second or subsequent offense (35 P.S. § 780-115)		11	POG2
(a)(30)*	Possession with intent to deliver-marijuana (10-<21 plants)	F	8	POG2
	Distribution to minors (35 P.S. § 780-114)		11	POG2
	Second or subsequent offense (35 P.S. § 780-115)		11	POG2
(a)(30)*	Possession with intent to deliver-marijuana (<1 lb.)	F	7	POG2
	Distribution to minors (35 P.S. § 780-114)		8	POG2
	Second or subsequent offense (35 P.S. § 780-115)		8	POG2
(a)(30)*	Possession with intent to deliver-marijuana (<10 plants)	F	7	POG2
	Distribution to minors (35 P.S. § 780-114)		8	POG2
	Second or subsequent offense (35 P.S. § 780-115)		8	POG2
(a)(30)*	Possession with intent to deliver-Sched I (>=100 g)	F	10	POG2
	Distribution to minors (35 P.S. § 780-114)		12	POG2
	Second or subsequent offense (35 P.S. § 780-115)		12	POG2
(a)(30)*	Possession with intent to deliver-Sched I (<100 g)	F	8	POG2
	Distribution to minors (35 P.S. § 780-114)		10	POG2

<i>35 P.S. § 780-113</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Prior Offense Group (POG)</i>
	Second or subsequent offense (35 P.S. § 780-115)		10	POG2
(a)(30)*	Possession with intent to deliver-Sched II	F	8	POG2
	Distribution to minors (35 P.S. § 780-114)		10	POG2
	Second or subsequent offense (35 P.S. § 780-115)		10	POG2
(a)(30)*	Possession with intent to deliver-Sched III	F	8	POG2
	Distribution to minors (35 P.S. § 780-114)		10	POG2
	Second or subsequent offense (35 P.S. § 780-115)		10	POG2
(a)(30)*	Possession with intent to deliver-Sched IV	F	8	POG2
	Distribution to minors (35 P.S. § 780-114)		10	POG2
	Second or subsequent offense (35 P.S. § 780-115)		10	POG2
(a)(30)*	Possession with intent to deliver-Sched V	M	7	POG1
	Distribution to minors (35 P.S. § 780-114)		8	POG1
	Second or subsequent offense (35 P.S. § 780-115)		8	POG1
(a)(31)	Possession-small amt. of marijuana (<=30 g/<=8 g hashish)	M	2	POG1
(a)(31)	Possession-small amt. of marijuana (<=30 g/<=8 g hashish): personal use	M	2	POG1
(a)(31)	Possession-small amt. of marijuana (<=30 g/<=8 g hashish): intent to distribute, not sell	M	2	POG1
(a)(31)	Possession-small amt. of marijuana (<=30 g/<=8 g hashish): distribution, not sale	M	2	POG1
(a)(32)	Possession-drug paraphernalia	M	2	POG1
(a)(33)	Possession w/ intent to deliver paraphernalia-under 18/3 yrs or more junior	M-2	7	POG1
(a)(33)	Possession w/ intent to deliver paraphernalia-not to a minor	M	7	POG1
(a)(34)	Place ad for sale of drug paraphernalia	M	2	POG1
(a)(34)	Place ad for sale of drug paraphernalia-GHB	F	8	POG2
(a)(35)(i)	Illegal sale of noncontrolled substance-intent to distribute	F	8	POG2
(a)(35)(ii)	Illegal sale of noncontrolled substance-represent as controlled substance	F	8	POG2
(a)(35)(iii)	Illegal sale of noncontrolled substance-distribute for redistribution	F	8	POG2
(a)(36)	Possession w/ intent to deliver-designer drugs	F	8	POG2
(a)(37)	Possession >30 doses-anabolic steroid (1st off)	M	7	POG1
(a)(37)	Possession >30 doses-anabolic steroid (2nd/subsq off)	M	8	POG1
(a)(38)(II)	Unlawful manufacture-methamphetamine (BI of child <18)	F-2	13	POG3
(a)(38)(I)	Unlawful manufacture-methamphetamine (child <18 present)	F-3	10	POG2
(a)(39)	Possess ephedrine, etc. w/ intent to manuf. methamphetamine (1st off)	M	5	POG1
(a)(39)	Possess ephedrine, etc. w/ intent to manuf. methamphetamine (2nd/subsq off)	M	6	POG1
(a)(40)	Retail sale-product containing ephedrine, etc. (1st off)	M	5	POG1
(a)(40)	Retail sale-product containing ephedrine, etc. (2nd/subsq off)	M	5	POG1
<i>35 P.S. § 780-113.1</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score</i>	<i>Prior Offense Group</i>
(a)(1)(i)	Possess liquefied ammonia-purpose other than agriculture/industrial	M	7	POG1
(a)(1)(ii)	Possess liquefied ammonia-unapproved container	M	7	POG1

<i>35 P.S. § 780-113.1</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score</i>	<i>Prior Offense Group</i>
(a)(2)	Possess liquefied ammonia-intent to manuf controlled substance	F	8	POG2
(a)(3)	Possess red phosphorous-intent to manuf controlled substance	F	8	POG2
(a)(4)	Possess esters/salts/etc. w/ intent to manuf controlled substance	F	8	POG2

TABLE B-3—OGS-POG Assignments, Miscellaneous**Title 23: DOMESTIC RELATIONS**

<i>23 Pa.C.S. §</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Prior Offense Group (POG)</i>
4354(d)(2)	Willful failure to pay child support (special circumstances)	M-3	2	POG1
6319(a)(2)(i)	Failure to report or refer suspected child abuse-willfully fails to report	F-3	9	POG2
6319(a)(2)(ii)	Failure to report or refer suspected child abuse-child abuse constitutes F-1 or higher	F-3	9	POG2
6319(a)(2)(iii)	Failure to report or refer suspected child abuse-direct knowledge of abuse	F-3	9	POG2
6319(a)(3)	Failure to report or to refer suspected child abuse	M-2	4	POG1
6319(b)	Failure to report or to refer suspected child abuse-continuing course of action	F-3	9	POG2
6319(b)	Failure to report or to refer suspected child abuse-continuing course of action (child abuse if F-1 or higher)	F-2	11	POG32
6319(c)	Failure to report or to refer suspected child abuse (2nd/subseq.)	F-3	9	POG2
6319(c)	Failure to report or to refer suspected child abuse-child abuse if F-1 or higher (2nd/subseq.)	F-2	11	POG3
6344(b.2)	Employees-investigation (failure to submit required documentation)	M-3	2	POG1
6344.3(h)	Effect of noncompliance	M-3	2	POG1
6346(b)	Willful failure to cooperate in investigation of suspected child abuse (1st violation)	M-3	2	POG1
6346(b)	Willful failure to cooperate in investigation of suspected child abuse (subseq. violation)	M-2	4	POG1
6349(a)(1)	Failure to amend or expunge information	M-3	2	POG1
6349(a)(1)	Failure to amend or expunge information (2nd/subseq.)	M-2	4	POG1
6349(a)(2)	Failure to amend or expunge information-willfully fails to obey a final order	M-3	2	POG1
6349(b)	Unauthorized release of information	M-2	4	POG1
6349(b.1)	Unauthorized access or use of information	M-2	4	POG1
6349(b.1)	Unauthorized access or use of information-intent to harass	M-1	7	POG1
6506	Failure to report acceptance of newborns (2nd/subsequent)	M-3	2	POG1
6711(b)(1)	Access by fraud or misrepresentation	M-2	4	POG1
6711(b)(1)	Access by fraud or misrepresentation (2nd/subsequent)	F-3	9	POG2
6711(b)(2)	Access by fraud or misrepresentation (previously convicted of crime of violence)	F-3	9	POG2

Title 25: ELECTIONS

<i>25 P.S. §</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Prior Offense Group (POG)</i>
1701	Lawful orders-intentionally disobey lawful order of registration	M-3	2	POG1
1702(a)	Registration-improper	M-1	7	POG1
1702(b)	Registration-denial	M-1	7	POG1
1703(a)(1)	Application-not entitled to registration	M-1	7	POG1
1703(a)(2)	Application-not entitled to change of residence	M-1	7	POG1
1703(a)(3)	Application-declare as residence	M-1	7	POG1
1703(a)(4)	Application-intentionally impersonate another	M-1	7	POG1
1704(a)(1)	Altering registration-entry without proper application	M-1	7	POG1
1704(a)(2)	Altering registration-intentionally materially alter	M-1	7	POG1
1705(a)(1)	Votes-knowingly refuse vote	M-1	7	POG1
1705(a)(2)	Votes-knowingly accept vote of individual not registered	M-1	7	POG1
1705(a)(3)	Votes-knowingly receive vote from a person falsely claiming to be a registered elector	M-1	7	POG1
1706	Duties under part-intentionally delays, neglects, or refuses to perform	M-2	4	POG1
1707(a)(1)	Official documents and electronic records-intentionally insert entry	M-1	7	POG1
1707(a)(2)	Official documents and electronic records-intentionally alter or destroy	M-1	7	POG1
1707(a)(3)	Official documents and electronic records-remove from lawful custody	M-1	7	POG1
1707(a)(4)	Official documents and electronic records	M-1	7	POG1
1708	Withholding information	M-2	4	POG1
1709	Law enforcement assistance-fail to render assistance	M-2	4	POG1
1710	Interference-performance of act or duty	M-2	4	POG1
1711(a)(1)	Preventing registration-knowingly and intentionally prevent qualified elector	M-1	7	POG1
1711(a)(2)	Preventing registration-by coercion, threat of BI, or intimidation	M-1	7	POG1
1711(a)(3)	Preventing registration-induce political enrollment	M-1	7	POG1
1711(a)(4)	Preventing registration-prevent record from being used, inspected, or copied	M-1	7	POG1
1712(a)(1)	Approval of registration-intentionally alter party designation	M-3	2	POG1
1712(a)(2)	Approval of registration-fail to transmit	M-3	2	POG1
1713(a)	Solicitation of registration	M-3	2	POG1
3502	Perjury	M-1	7	POG1
3525	Frauds by elections officers	F-3	9	POG2
3526	Prying into ballots	M	2	POG1
3527	Interference with primaries and elections; frauds; conspiracy	F-3	9	POG2
3528	Persons interfering in other districts	F-3	9	POG2
3529	Assault and battery at polls	M-1	7	POG1
3530	Unlawful assistance in voting	M	2	POG1
3531	Election officers permitting unlawful assistance	M	2	POG1
3532	Failure to keep and return record of assisted voters	M	2	POG1
3533	Unlawful voting	M-1	7	POG1

<i>25 P.S. §</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Prior Offense Group (POG)</i>
3534	Elector voting ballot of wrong party at primary	M-2	4	POG1
3535	Repeat voting at elections	F-3	9	POG2
3536	Removing ballots	M-2	4	POG1
3538	Fraudulent voting by soldiers	M	2	POG1
3539	Bribery at elections	F-3	9	POG2
3540	Receipts and disbursements of primary and election expenses by persons other than candidates and treasurers	M	2	POG1
3541	Receipts of primary and election expenses by unauthorized persons	M	2	POG1
3543	Contributions by corporations or unincorporated associations	M	2	POG1
3545	Failure to file expense account	M	2	POG1
3547	Prohibiting duress and intimidation of voters and interference with the free exercise of the elective franchise	M-2	4	POG1
3548	Failure to perform duty	M	2	POG1
3549	Hindering or delaying performance of duty	M	2	POG1
3553	Violation of provisions relating to absentee and mail-in ballots	M-3	2	POG1
3553	Violation of provisions relating to absentee and mail-in ballots-chief clerk/member of board of elections	F-3	9	POG2

Title 35: HEALTH (miscellaneous)

<i>35 P.S. § 780-113.1</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Prior Offense Group (POG)</i>
(a)(1)(i)	Possess liquefied ammonia-purpose other than agriculture/industrial	M	7	POG1
(a)(1)(ii)	Possess liquefied ammonia-unapproved container	M	7	POG1
(a)(2)	Possess liquefied ammonia-intent to manuf controlled substance	F	8	POG2
(a)(3)	Possess red phosphorous-intent to manuf controlled substance	F	8	POG2
(a)(4)	Possess esters/salts/etc. w/ intent to manuf controlled substance	F	8	POG2
35 P.S. § 780-113.4				
(a)(1)	Operate meth lab-create chemical reaction	F-2	10	POG3
(a)(3)	Operate meth lab-create chemical reaction (w/in 1000 ft. of school)	F-1	12	POG3
(b)(1)	Operate meth lab-stores/disposes substance used in manuf.	F-3	8	POG2
35 P.S. §§ 6018.101—6018.1002				
	Solid Waste Management Act			
	Knowingly transports, etc. hazardous waste without permit	F-1	13	POG3
	Transports, etc. hazardous waste without permit	F-2	10	POG3
	Violation of Act, DER Order, etc.	M-3	2	POG1
35 P.S. §§ 691.1—691.1001				
	Clean Streams Law			
	Violation of Act, DER Order, etc.	M-3	2	POG1
35 P.S. §§ 4001—4015				
	Air Pollution Control Act			

<i>35 P.S. § 780-113.1</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Prior Offense Group (POG)</i>
	Knowingly releases hazardous air pollutant	F-1	13	POG3
	Violation of Act, DER Order, etc.	M-2	5	POG1
	Negligently releases hazardous air pollution	M-3	2	POG1

Title 42: JUDICIAL CODE

<i>42 Pa.C.S. §</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Prior Offense Group (POG)</i>
4583.1(a)(1)	Agg. jury tampering-employ force/violence (charged crime Mur 1/Mur 2/F-1)	F-1	18	POG3
4583.1(a)(1)	Agg. jury tampering-employ force/violence (charged crime F-2)	F-2	13	POG3
4583.1(a)(1)	Agg. jury tampering-employ force/violence (any other charged crime)	F-3	10	POG2
4583.1(a)(2)	Agg. jury tampering-pecuniary/benefit (charged crime Mur 1/Mur 2/F-1)	F-1	18	POG3
4583.1(a)(2)	Agg. jury tampering-pecuniary/benefit (charged crime F-2)	F-2	13	POG3
4583.1(a)(2)	Agg. jury tampering-pecuniary/benefit (any other charged crime)	F-3	10	POG2
4583.1(a)(3)	Agg. jury tampering-further conspiracy (charged crime Mur 1/Mur 2/F-1)	F-1	18	POG3
4583.1(a)(3)	Agg. jury tampering-further conspiracy (charged crime F-2)	F-2	13	POG3
4583.1(a)(3)	Agg. jury tampering-further conspiracy (any other charged crime)	F-3	10	POG2
4583.1(a)(4)	Agg. jury tampering-accept pecuniary benefit (charged crime Mur 1/Mur 2/F-1)	F-1	18	POG3
4583.1(a)(4)	Agg. jury tampering-accept pecuniary benefit (charged crime F-2)	F-2	13	POG3
4583.1(a)(4)	Agg. jury tampering-accept pecuniary benefit (any other charged crime)	F-3	10	POG2

OMNIBUS ASSIGNMENTS

<i>Omnibus Assignments</i>	<i>Statutory Class</i>	<i>Offense Gravity Score</i>	<i>Prior Offense Group</i>
Offenses not otherwise listed and new offenses:	F-1 + (max > 20 years)	22	POG3/POG4
	F-1	14	POG3
	F-2	11	POG3
	F-3	9	POG2
	Felony Not Classified	9	POG2
	M-1	7	POG1
	M-2	4	POG1
	M-3	2	POG1
	Misdemeanor Not Classified	2	POG1

TABLE C—OGS Enhancements

<i>Pa.C.S. §</i>	<i>Description</i>	<i>OGS Assignment</i>	<i>OGS Adjustment</i>	<i>Additional Enhancements or Details</i>
18-2502(c)	Murder of the third degree			
	Victim <13 years of age	x		
18-2505	Causing or aiding suicide			
	Victim <18/intellectual disability/autism	x		
18-3011	Trafficking in individuals			<i>Maximum adjustment = __</i>
	<i>Unless otherwise included in OGS description:</i>			
	Sexual servitude		+2	
	Kidnapping, rape, or IDSI in course of offense (maximum = Life) (42/9720.2)		OGS 27	
	Age of victim—13 to less than 18 years of age		+2	
	Age of victim—less than 13 years of age		+4	
18-3012	Involuntary servitude			<i>Maximum adjustment = __</i>
	<i>Unless otherwise included in OGS description:</i>			
	Sexual servitude		+2	
	Kidnapping, rape, or IDSI in course of offense (maximum = Life) (42/9720.2)		OGS 27	
	Age of victim—13 to less than 18 years of age		+2	
	Age of victim—less than 13 years of age		+4	
18-3133	Sexual extortion			
	Victim<18/intellectual disability/actor holds position of trust	x		
	<i>Unless otherwise included in OGS description:</i>			
	Victim attempts suicide resulting in SBI/death		+1	
18-3301(a)	Arson endangering persons (enhancement as provided in 42-9720.6)			
	Cause SBI to civilian or cause BI to firefighter, etc.	x		
	<i>Unless otherwise included in OGS description:</i>			<i>Maximum adjustment = __</i>
	More than 3 people in building (F-1 offense)		+2	
	More than three people in building (< F-1 offense)		+3	
	Greater than \$1 million in damage (F-1 offense)		+2	
	Greater than \$1 million in damage (< F-1 offense)		+3	
	Incendiary device (F-1 offense)		+2	
	Incendiary device (< F-1 offense)		+3	
18-3301(a.1)	Aggravated arson (enhancement as provided in 42-9720.6)			
	Cause SBI to civilian or cause BI to firefighter, etc.	x		
	<i>Unless otherwise included in OGS description:</i>			<i>Maximum adjustment = __</i>
	More than 3 people in building (F-1 offense)		+2	
	More than three people in building (< F-1 offense)		+3	
	Greater than \$1 million in damage (F-1 offense)		+2	
	Greater than \$1 million in damage (< F-1 offense)		+3	

Pa.C.S. §	Description	OGS Assignment	OGS Adjustment	Additional Enhancements or Details
	Incendiary device (F-1 offense)		+2	
	Incendiary device (< F-1 offense)		+3	
18-3502	Burglary (enhancement as provided in part in 42-9720.7)			
	Occupied structure, person present, bodily injury crime	x		
	<i>Unless otherwise included in OGS description:</i>			
	Domestic animal harmed of killed		+1	
18-3503	Criminal trespass			
	<i>Unless otherwise included in OGS description:</i>			
	Domestic animal harmed of killed		+1	
18-3702	Robbery of motor vehicle			
	Steals or takes motor vehicle in presence of person	x		
18-6105	Person not to possess firearms			
	Previous conviction	x		
	Possession/control of firearm or within reach	x		
18-6312	Sexual abuse of children (enhancement as provided in 42-9720.5)			
	Age of victim or prepubescent	x		
	Indecent contact depicted	x		
	<i>Unless otherwise included in OGS description:</i>			
	Nature and character of abuse depicted		+1	
	Child know to defendant		+1	
	Number of images (video clip = 50 images):			
	More than 50 to 200 images		+1	
	More than 200 to 500 images		+2	
	More than 500 images		+3	
75-3732	Homicide by vehicle			
	<i>Category A:</i> DUI (75-3802); texting (75-3316)	x		
	<i>Category B:</i> active work zone (75-3326), emergency vehicle (75-3325), emergency response area (75-3327)	x		
	<i>Category C:</i> required to be licensed (75-1501); operating privilege suspended/revoked (75-1543)	x		
75-3732.1	Aggravated assault by vehicle			
	<i>Category A:</i> DUI (75-3802); texting (75-3316)	x		
	<i>Category B:</i> active work zone (75-3326), emergency vehicle (75-3325), emergency response area (75-3327)	x		
	<i>Category C:</i> required to be licensed (75-1501); operating privilege suspended/revoked (75-1543)	x		
75-3742	Accidents involving death or personal injury			
	Victim dies as a result of the violation	x		
75-3802	Driving under the influence of alcohol or controlled substance			
	Four or more prior convictions under (a)(1), (c), or (d)	x		
42-2154(b)(3)	Deadly weapon enhancement			
	Deadly weapon possessed		+2	

<i>Pa.C.S. §</i>	<i>Description</i>	<i>OGS Assignment</i>	<i>OGS Adjustment</i>	<i>Additional Enhancements or Details</i>
	Deadly weapon used		+3	
42-2154(b)(3)	School and youth drug possession enhancement			
	Distribution in a school zone		+1	
	Distribution to a minor		+2	
	Distribution to a minor in a school zone		+3	
42-9720.4	Sentences for offenses committed in association with a criminal gang			
	Crimes of violence (42-9714(g)) or a violation of section (a)(30) of the Drug Act (35-780-114) if knowingly committed at the direction of or for the purpose of benefiting, promoting, or furthering the interests of a criminal gang.		+2	
42-9720.8	Domestic violence (enhancement as provided in part 42-9720.8)			
	Offense under Title 18, Chapters 25, 27, 29, 30, 31, or 49 against a family or household member (23-6102).		+2	
	Defendant knew crime was witnessed, either through sight or sound, by a minor who is also a family or household members of the defendant to victim.			Payment of costs or fees for assessment and treatment of the minor.

TABLE D-1—OGS Assignments, Mandatory Provisions, Title 30

<i>30 Pa.C.S. §</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Mand. Sentence Provision</i>
5502(a)(1)	Oper. watercraft under influence-general impairment/incapable of safe operation (1st off)	M	4	6 mos prob
5502(a)(1)	Oper. watercraft under influence-general impairment/incapable of safe operation (1st off); 1st minor <18 passenger	M-1 ¹	4	6 mos prob
5502(a)(1)	Oper. watercraft under influence-general impairment/incapable of safe operation (2nd off)	M	7	5 days
5502(a)(1)	Oper. watercraft under influence-general impairment/incapable of safe operation (2nd off); 1st minor <18 passenger	M-1 ¹	7	5 days
5502(a)(1)	Oper. watercraft under influence-general impairment/incapable of safe operation (2nd off); 2nd minor <18 passenger	M-1 ²	8	5 days + 1 to 6 mos
5502(a)(1)	Oper. watercraft under influence-general impairment/incapable of safe operation (3rd/subsq off)	M-2	7	10 days
5502(a)(1)	Oper. watercraft under influence-general impairment/incapable of safe operation (3rd/subsq off); 1st minor <18 passenger	M-1 ¹	7	10 days
5502(a)(1)	Oper. watercraft under influence-general impairment/incapable of safe operation (3rd/subsq off); 2nd minor <18 passenger	M-1 ²	8	10 days + 1 to 6 mos
5502(a)(1)	Oper. watercraft under influence-general impairment/incapable of safe operation (3rd/subsq off); 3rd/subsq minor <18 passenger	M-1 ³	9	10 days + 6 mos to 2 years
5502(a)(1)	Oper. watercraft under influence-incapable of safe operation: refused testing (1st off)	M	4	6 mos prob
5502(a)(1)	Oper. watercraft under influence-incapable of safe operation: refused testing (1st off); 1st minor <18 passenger	M-1 ¹	4	6 mos prob
5502(a)(1)	Oper. watercraft under influence-incapable of safe operation: refused testing (2nd off)	M-1	7	5 days
5502(a)(1)	Oper. watercraft under influence-incapable of safe operation: refused testing (2nd off); 1st minor <18 passenger	M-1 ¹	7	5 days
5502(a)(1)	Oper. watercraft under influence-incapable of safe operation: refused testing (2nd off); 2nd minor <18 passenger	M-1 ²	8	5 days + 1 to 6 mos

<i>30 Pa.C.S. §</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Mand. Sentence Provision</i>
5502(a)(1)	Oper. watercraft under influence-incapable of safe operation: refused testing (3rd/subsq off)	M-1	7	10 days
5502(a)(1)	Oper. watercraft under influence-incapable of safe operation: refused testing (3rd/subsq off); 1st minor <18 passenger	M-1 ¹	7	10 days
5502(a)(1)	Oper. watercraft under influence-incapable of safe operation: refused testing (3rd/subsq off); 2nd minor <18 passenger	M-1 ²	8	10 days + 1 to 6 mos
5502(a)(1)	Oper. watercraft under influence-incapable of safe operation: refused testing (3rd/subsq off); 3rd/subsq minor <18 passenger	M-1 ³	9	10 days + 6 mos to 2 years
5502(a)(1)	Oper. watercraft under influence-incapable of safe operation: accident w/BI/SBI/death (1st off)	M	4	6 mos prob
5502(a)(1)	Oper. watercraft under influence-incapable of safe operation: accident w/BI/SBI/death (1st off); 1st minor <18 passenger	M-1 ¹	4	6 mos prob
5502(a)(1)	Oper. watercraft under influence-incapable of safe operation: accident w/BI/SBI/death (2nd off)	M	7	5 days
5502(a)(1)	Oper. watercraft under influence-incapable of safe operation: accident w/BI/SBI/death (2nd off); 1st minor <18 passenger	M-1 ¹	7	5 days
5502(a)(1)	Oper. watercraft under influence-incapable of safe operation: accident w/BI/SBI/death (2nd off); 2nd minor <18 passenger	M-1 ²	8	5 days + 1 to 6 mos
5502(a)(1)	Oper. watercraft under influence-incapable of safe operation: accident w/BI/SBI/death (3rd off)	M-1	7	10 days
5502(a)(1)	Oper. watercraft under influence-incapable of safe operation: accident w/BI/SBI/death (3rd off); 1st minor <18 passenger	M-1 ¹	7	10 days
5502(a)(1)	Oper. watercraft under influence-incapable of safe operation: accident w/BI/SBI/death (3rd off); 2nd minor <18 passenger	M-1 ²	8	10 days + 1 to 6 mos
5502(a)(1)	Oper. watercraft under influence-incapable of safe operation: accident w/BI/SBI/death (3rd off); 3rd/subsq minor <18 passenger	M-1 ³	9	10 days + 6 mos to 2 years
5502(a)(1)	Oper. watercraft under influence-incapable of safe operation: accident w/BI/SBI/death (4th/subsq off)	M-1	7	10 days
5502(a)(1)	Oper. watercraft under influence-incapable of safe operation: accident w/BI/SBI/death (4th/subsq off); 1st minor <18 passenger	M-1 ¹	7	10 days
5502(a)(1)	Oper. watercraft under influence-incapable of safe operation: accident w/BI/SBI/death (4th/subsq off); 2nd minor <18 passenger	M-1 ²	8	10 days + 1 to 6 mos
5502(a)(1)	Oper. watercraft under influence-incapable of safe operation: accident w/BI/SBI/death (4th/subsq off); 3rd/subsq minor <18 passenger	M-1 ³	9	10 days + 6 mos to 2 years
5502(a)(1)	Oper. watercraft under influence-incapable of safe operation: accident w/ damage (1st off)	M	4	6 mos prob
5502(a)(1)	Oper. watercraft under influence-incapable of safe operation: accident w/ damage (1st off); 1st minor <18 passenger	M-1 ¹	4	6 mos prob
5502(a)(1)	Oper. watercraft under influence-incapable of safe operation: accident w/ damage (2nd off)	M	7	5 days
5502(a)(1)	Oper. watercraft under influence-incapable of safe operation: accident w/ damage (2nd off); 1st minor <18 passenger	M-1 ¹	7	5 days
5502(a)(1)	Oper. watercraft under influence-incapable of safe operation: accident w/ damage (2nd off); 2nd minor <18 passenger	M-1 ²	8	5 days + 1 to 6 mos
5502(a)(1)	Oper. watercraft under influence-incapable of safe operation: accident w/ damage (3rd off)	M-1	7	10 days
5502(a)(1)	Oper. watercraft under influence-incapable of safe operation: accident w/ damage (3rd off); 1st minor <18 passenger	M-1 ¹	7	10 days
5502(a)(1)	Oper. watercraft under influence-incapable of safe operation: accident w/ damage (3rd off); 2nd minor <18 passenger	M-1 ²	8	10 days + 1 to 6 mos

<i>30 Pa.C.S. §</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Mand. Sentence Provision</i>
5502(a)(1)	Oper. watercraft under influence-incapable of safe operation: accident w/ damage (3rd off); 3rd/subsq minor <18 passenger	M-1 ³	9	10 days + 6 mos to 2 years
5502(a)(1)	Oper. watercraft under influence-incapable of safe operation: accident w/ damage (4th/subsq off)	M-1	7	10 days
5502(a)(1)	Oper. watercraft under influence-incapable of safe operation: accident w/ damage (4th/subsq off); 1st minor <18 passenger	M-1 ¹	7	10 days
5502(a)(1)	Oper. watercraft under influence-incapable of safe operation: accident w/ damage (4th/subsq off); 2nd minor <18 passenger	M-1 ²	8	10 days + 1 to 6 mos
5502(a)(1)	Oper. watercraft under influence-incapable of safe operation: accident w/ damage (4th/subsq off); 3rd/subsq minor <18 passenger	M-1 ³	9	10 days + 6 mos to 2 years
5502(a)(2)	Oper. watercraft under influence-general impairment: BAC .08-<.10 (1st off)	M	4	6 mos prob
5502(a)(2)	Oper. watercraft under influence-general impairment: BAC .08-<.10 (1st off); 1st minor <18 passenger	M-1 ¹	4	6 mos prob
5502(a)(2)	Oper. watercraft under influence-general impairment: BAC .08-<.10 (2nd off)	M	7	5 days
5502(a)(2)	Oper. watercraft under influence-general impairment: BAC .08-<.10 (2nd off); 1st minor <18 passenger	M-1 ¹	7	5 days
5502(a)(2)	Oper. watercraft under influence-general impairment: BAC .08-<.10 (2nd off); 2nd minor <18 passenger	M-1 ²	8	5 days + 1 to 6 mos
5502(a)(2)	Oper. watercraft under influence-general impairment: BAC .08-<.10 (3rd/subsq off)	M-2	7	10 days
5502(a)(2)	Oper. watercraft under influence-general impairment: BAC .08-<.10 (3rd/subsq off); 1st minor <18 passenger	M-1 ¹	7	10 days
5502(a)(2)	Oper. watercraft under influence-general impairment: BAC .08-<.10 (3rd/subsq off); 2nd minor <18 passenger	M-1 ²	8	10 days + 1 to 6 mos
5502(a)(2)	Oper. watercraft under influence-general impairment: BAC .08-<.10 (3rd/subsq off); 3rd/subsq minor <18 passenger	M-1 ³	9	10 days + 6 mos to 2 years
5502(a.1)	Oper. watercraft under influence-high rate of alcohol: BAC .10-<.16 (1st off)	M	7	48 hours
5502(a.1)	Oper. watercraft under influence-high rate of alcohol: BAC .10-<.16 (1st off); 1st minor <18 passenger	M-1 ¹	7	48 hours
5502(a.1)	Oper. watercraft under influence-high rate of alcohol: BAC .10-<.16 (2nd off)	M	8	30 days
5502(a.1)	Oper. watercraft under influence-high rate of alcohol: BAC .10-<.16 (2nd off); 1st minor <18 passenger	M-1 ¹	8	30 days
5502(a.1)	Oper. watercraft under influence-high rate of alcohol: BAC .10-<.16 (2nd off); 2nd minor <18 passenger	M-1 ²	9	30 days + 1 to 6 mos
5502(a.1)	Oper. watercraft under influence-high rate of alcohol: BAC .10-<.16 (3rd off)	M-1	9	90 days
5502(a.1)	Oper. watercraft under influence-high rate of alcohol: BAC .10-<.16 (3rd off); 1st minor <18 passenger	M-1 ¹	9	90 days
5502(a.1)	Oper. watercraft under influence-high rate of alcohol: BAC .10-<.16 (3rd off); 2nd minor <18 passenger	M-1 ²	9	90 days + 1 to 6 mos
5502(a.1)	Oper. watercraft under influence-high rate of alcohol: BAC .10-<.16 (3rd off); 3rd/subsq minor <18 passenger	M-1 ³	9	90 days + 6 mos to 2 years
5502(a.1)	Oper. watercraft under influence-high rate of alcohol: BAC .10-<.16 (4th/subsq off)	M-1	13	1 year
5502(a.1)	Oper. watercraft under influence-high rate of alcohol: BAC .10-<.16 (4th/subsq off); 1st minor <18 passenger	M-1 ¹	13	1 year

<i>30 Pa.C.S. §</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Mand. Sentence Provision</i>
5502(a.1)	Oper. watercraft under influence-high rate of alcohol: BAC .10-<.16 (4th/subsq off); 2nd minor <18 passenger	M-1 ²	13	1 year + 1 to 6 mos
5502(a.1)	Oper. watercraft under influence-high rate of alcohol: BAC .10-<.16 (4th/subsq off); 3rd/subsq minor <18 passenger	M-1 ³	13	1 year + 6 mos to 2 years
5502(a.2)	Oper. watercraft under influence-highest rate of alcohol: BAC >=.16 (1st off)	M	7	72 hours
5502(a.2)	Oper. watercraft under influence-highest rate of alcohol: BAC >=.16 (1st off); 1st minor <18 passenger	M-1 ¹	7	72 hours
5502(a.2)	Oper. watercraft under influence-highest rate of alcohol: BAC >=.16 (2nd off)	M-1	9	90 days
5502(a.2)	Oper. watercraft under influence-highest rate of alcohol: BAC >=.16 (2nd off); 1st minor <18 passenger	M-1 ¹	9	90 days
5502(a.2)	Oper. watercraft under influence-highest rate of alcohol: BAC >=.16 (2nd off); 2nd minor <18 passenger	M-1 ²	9	90 days + 1 to 6 mos
5502(a.2)	Oper. watercraft under influence-highest rate of alcohol: BAC >=.16 (3rd/subsq off)	M-1	13	1 year
5502(a.2)	Oper. watercraft under influence-highest rate of alcohol: BAC >=.16 (3rd/subsq off); 1st minor <18 passenger	M-1 ¹	13	1 year
5502(a.2)	Oper. watercraft under influence-highest rate of alcohol: BAC >=.16 (3rd/subsq off); 2nd minor <18 passenger	M-1 ²	13	1 year + 1 to 6 mos
5502(a.2)	Oper. watercraft under influence-highest rate of alcohol: BAC >=.16 (3rd/subsq off); 3rd/subsq minor <18 passenger	M-1 ³	13	1 year + 6 mos to 2 years
5502(a.3)(1)(i)	Oper. watercraft under influence-controlled substances: Sched I (1st off)	M	7	72 hours
5502(a.3)(1)(i)	Oper. watercraft under influence-controlled substances: Sched I (1st off); 1st minor <18 passenger	M-1 ¹	7	72 hours
5502(a.3)(1)(i)	Oper. watercraft under influence-controlled substances: Sched I (2nd off)	M-1	9	90 days
5502(a.3)(1)(i)	Oper. watercraft under influence-controlled substances: Sched I (2nd off); 1st minor <18 passenger	M-1 ¹	9	90 days
5502(a.3)(1)(i)	Oper. watercraft under influence-controlled substances: Sched I (2nd off); 2nd minor <18 passenger	M-1 ²	9	90 days + 1 to 6 mos
5502(a.3)(1)(i)	Oper. watercraft under influence-controlled substances: Sched I (3rd/subsq off)	M-1	13	1 year
5502(a.3)(1)(i)	Oper. watercraft under influence-controlled substances: Sched I (3rd/subsq off); 1st minor <18 passenger	M-1 ¹	13	1 year
5502(a.3)(1)(i)	Oper. watercraft under influence-controlled substances: Sched I (3rd/subsq off); 2nd minor <18 passenger	M-1 ²	13	1 year + 1 to 6 mos
5502(a.3)(1)(i)	Oper. watercraft under influence-controlled substances: Sched I (3rd/subsq off); 3rd/subsq minor <18 passenger	M-1 ³	13	1 year + 6 mos to 2 years
5502(a.3)(1)(ii)	Oper. watercraft under influence-controlled substances: Sched II/III (1st off)	M	7	72 hours
5502(a.3)(1)(ii)	Oper. watercraft under influence-controlled substances: Sched II/III (1st off); 1st minor <18 passenger	M-1 ¹	7	72 hours
5502(a.3)(1)(ii)	Oper. watercraft under influence-controlled substances: Sched II/III (2nd off)	M-1	9	90 days
5502(a.3)(1)(ii)	Oper. watercraft under influence-controlled substances: Sched II/III (2nd off); 1st minor <18 passenger	M-1 ¹	9	90 days
5502(a.3)(1)(ii)	Oper. watercraft under influence-controlled substances: Sched II/III (2nd off); 1st minor <18 passenger	M-1 ²	9	90 days + 1 to 6 mos

<i>30 Pa.C.S. §</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Mand. Sentence Provision</i>
5502(a.3)(1)(ii)	Oper. watercraft under influence-controlled substances: Sched II/III (3rd/subsq off)	M-1	13	1 year
5502(a.3)(1)(ii)	Oper. watercraft under influence-controlled substances: Sched II/III (3rd/subsq off); 1st minor <18 passenger	M-1 ¹	13	1 year
5502(a.3)(1)(ii)	Oper. watercraft under influence-controlled substances: Sched II/III (3rd/subsq off); 2nd minor <18 passenger	M-1 ²	13	1 year + 1 to 6 mos
5502(a.3)(1)(ii)	Oper. watercraft under influence-controlled substances: Sched II/III (3rd/subsq off); 3rd/subsq minor <18 passenger	M-1 ³	13	1 year + 6 mos to 2 years
5502(a.3)(1)(iii)	Oper. watercraft under influence-controlled substances: metabolite of Sched I/II/III (1st off)	M	7	72 hours
5502(a.3)(1)(iii)	Oper. watercraft under influence-controlled substances: metabolite of Sched I/II/III (1st off); 1st minor <18 passenger	M-1 ¹	7	72 hours
5502(a.3)(1)(iii)	Oper. watercraft under influence-controlled substances: metabolite of Sched I/II/III (2nd off)	M-1	9	90 days
5502(a.3)(1)(iii)	Oper. watercraft under influence-controlled substances: metabolite of Sched I/II/III (2nd off); 1st minor <18 passenger	M-1 ¹	9	90 days
5502(a.3)(1)(iii)	Oper. watercraft under influence-controlled substances: metabolite of Sched I/II/III (2nd off); 2nd minor <18 passenger	M-1 ²	9	90 days + 1 to 6 mos
5502(a.3)(1)(iii)	Oper. watercraft under influence-controlled substances: metabolite of Sched I/II/III (3rd/subsq off)	M-1	13	1 year
5502(a.3)(1)(iii)	Oper. watercraft under influence-controlled substances: metabolite of Sched I/II/III (3rd/subsq off); 1st minor <18 passenger	M-1 ¹	13	1 year
5502(a.3)(1)(iii)	Oper. watercraft under influence-controlled substances: metabolite of Sched I/II/III (3rd/subsq off); 2nd minor <18 passenger	M-1 ²	13	1 year + 1 to 6 mos
5502(a.3)(1)(iii)	Oper. watercraft under influence-controlled substances: metabolite of Sched I/II/III (3rd/subsq off); 3rd/subsq minor <18 passenger	M-1 ³	13	1 year + 6 mos to 2 years
5502(a.3)(2)	Oper. watercraft under influence-controlled substances & incapable of safe operation (1st off)	M	7	72 hours
5502(a.3)(2)	Oper. watercraft under influence-controlled substances & incapable of safe operation (1st off); 1st minor <18 passenger	M-1 ¹	7	72 hours
5502(a.3)(2)	Oper. watercraft under influence-controlled substances & incapable of safe operation (2nd off)	M-1	9	90 days
5502(a.3)(2)	Oper. watercraft under influence-controlled substances & incapable of safe operation (2nd off); 1st minor <18 passenger	M-1 ¹	9	90 days
5502(a.3)(2)	Oper. watercraft under influence-controlled substances & incapable of safe operation (2nd off); 2nd minor <18 passenger	M-1 ²	9	90 days + 1 to 6 mos
5502(a.3)(2)	Oper. watercraft under influence-controlled substances & incapable of safe operation (3rd/subsq off)	M-1	13	1 year
5502(a.3)(2)	Oper. watercraft under influence-controlled substances & incapable of safe operation (3rd/subsq off); 1st minor <18 passenger	M-1 ¹	13	1 year
5502(a.3)(2)	Oper. watercraft under influence-controlled substances & incapable of safe operation (3rd/subsq off); 2nd minor <18 passenger	M-1 ²	13	1 year + 1 to 6 mos
5502(a.3)(2)	Oper. watercraft under influence-controlled substances & incapable of safe operation (3rd/subsq off); 3rd/subsq minor <18 passenger	M-1 ³	13	1 year + 6 mos to 2 years
5502(a.3)(3)	Oper. watercraft under influence-controlled substances & alcohol & incapable of safe operation (1st off)	M	7	72 hours
5502(a.3)(3)	Oper. watercraft under influence-controlled substances & alcohol & incapable of safe operation (1st off); 1st minor <18 passenger	M-1 ¹	7	72 hours
5502(a.3)(3)	Oper. watercraft under influence-controlled substances & alcohol & incapable of safe operation (2nd off)	M-1	9	90 days

<i>30 Pa.C.S. §</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Mand. Sentence Provision</i>
5502(a.3)(3)	Oper. watercraft under influence-controlled substances & alcohol & incapable of safe operation (2nd off); 1st minor <18 passenger	M-1 ¹	9	90 days
5502(a.3)(3)	Oper. watercraft under influence-controlled substances & alcohol & incapable of safe operation (2nd off); 2nd minor <18 passenger	M-1 ²	9	90 days + 1 to 6 mos
5502(a.3)(3)	Oper. watercraft under influence-controlled substances & alcohol & incapable of safe operation (3rd/subsq off)	M-1	13	1 year
5502(a.3)(3)	Oper. watercraft under influence-controlled substances & alcohol & incapable of safe operation (3rd/subsq off); 1st minor <18 passenger	M-1 ¹	13	1 year
5502(a.3)(3)	Oper. watercraft under influence-controlled substances & alcohol & incapable of safe operation (3rd/subsq off); 2nd minor <18 passenger	M-1 ²	13	1 year + 1 to 6 mos
5502(a.3)(3)	Oper. watercraft under influence-controlled substances & alcohol & incapable of safe operation (3rd/subsq off); 3rd/subsq minor <18 passenger	M-1 ³	13	1 year + 6 mos to 2 years
5502(a.3)(4)	Oper. watercraft under influence-controlled substances: solvent, etc. (1st off)	M	7	72 hours
5502(a.3)(4)	Oper. watercraft under influence-controlled substances: solvent, etc. (1st off); 1st minor <18 passenger	M-1 ¹	7	72 hours
5502(a.3)(4)	Oper. watercraft under influence-controlled substances: solvent, etc. (2nd off)	M-1	9	90 days
5502(a.3)(4)	Oper. watercraft under influence-controlled substances: solvent, etc. (2nd off); 1st minor <18 passenger	M-1 ¹	9	90 days
5502(a.3)(4)	Oper. watercraft under influence-controlled substances: solvent, etc. (2nd off); 2nd minor <18 passenger	M-1 ²	9	90 days + 1 to 6 mos
5502(a.3)(4)	Oper. watercraft under influence-controlled substances: solvent, etc. (3rd/subsq off)	M-1	13	1 year
5502(a.3)(4)	Oper. watercraft under influence-controlled substances: solvent, etc. (3rd/subsq off); 1st minor <18 passenger	M-1 ¹	13	1 year
5502(a.3)(4)	Oper. watercraft under influence-controlled substances: solvent, etc. (3rd/subsq off); 2nd minor <18 passenger	M-1 ²	13	1 year + 1 to 6 mos
5502(a.3)(4)	Oper. watercraft under influence-controlled substances: solvent, etc. (3rd/subsq off); 3rd/subsq minor <18 passenger	M-1 ³	13	1 year +6 mos to 2 years
5502(a.4)	Oper. watercraft under influence-minor operator (1st off)	M	7	48 hours
5502(a.4)	Oper. watercraft under influence-minor operator (1st off); 1st minor <18 passenger	M-1 ¹	7	48 hours
5502(a.4)	Oper. watercraft under influence-minor operator (2nd off)	M	8	30 days
5502(a.4)	Oper. watercraft under influence-minor operator (2nd off); 1st minor <18 passenger	M-1 ¹	8	30 days
5502(a.4)	Oper. watercraft under influence-minor operator (2nd off); 2nd minor <18 passenger	M-1 ²	8	30 days + 1 to 6 mos
5502(a.4)	Oper. watercraft under influence-minor operator (3rd off)	M-1	9	90 days
5502(a.4)	Oper. watercraft under influence-minor operator (3rd off); 1st minor <18 passenger	M-1 ¹	9	90 days
5502(a.4)	Oper. watercraft under influence-minor operator (3rd off); 2nd minor <18 passenger	M-1 ²	9	90 days + 1 to 6 mos
5502(a.4)	Oper. watercraft under influence-minor operator (3rd off); 3rd/subsq minor <18 passenger	M-1 ³	9	90 days + 6 mos to 2 years
5502(a.4)	Oper. watercraft under influence-minor operator (4th/subsq off)	M-1	13	1 year
5502(a.4)	Oper. watercraft under influence-minor operator (4th/subsq off); 1st minor <18 passenger	M-1 ¹	13	1 year

30 Pa.C.S. §	Description	Statutory Class	Offense Gravity Score (OGS)	Mand. Sentence Provision
5502(a.4)	Oper. watercraft under influence-minor operator (4th/subsq off); 2nd minor <18 passenger	M-1 ²	13	1 year + 1 to 6 mos
5502(a.4)	Oper. watercraft under influence-minor operator (4th/subsq off); 3rd/subsq minor <18 passenger	M-1 ³	13	1 year + 6 mos to 2 years
5502.1(a)	Homicide by watercraft while operating under influence	F-2	17	3 years
5502.2*	Homicide by watercraft (when there is a conviction for operating under the influence)	M-1	12	NA
5502.2*	Homicide by watercraft (when there is not a conviction for operating under the influence)	M-1	10	NA
5502.3(a)	Aggravated assault by watercraft while operating under influence	F-2	16	NA
5502.4(a)	Aggravated assault by watercraft (SBI)	F-3	11	NA
5507(a)	Duties of operators involved in boating accidents-stop	M-1	7	NA
5507(a)	Duties of operators involved in boating accidents-stop (death)	F-3	9	NA
5507(b)	Duties of operators involved in boating accidents-give information	M-1	7	NA
5507(b)	Duties of operators involved in boating accidents-give information (death)	F-3	9	NA
5507(c)	Duties of operators involved in boating accidents-render aid	M-1	7	NA
5507(c)	Duties of operators involved in boating accidents-render aid (death)	F-3	9	NA
5507(d)	Duties of operators involved in boating accidents-stay	M-1	7	NA
5507(d)	Duties of operators involved in boating accidents-stay (death)	F-3	9	NA

§ 5502(c.1)(5) An individual who violates this section when a minor under 18 years of age was a passenger in the watercraft when the violation occurred, *in addition to any penalty imposed under this section*, shall be sentenced as follows:

- ¹ (i) For the first offense: pay a fine of not less than \$1,000; complete 100 hours of community service.
- ² (ii) For a second offense: pay a fine of not less than \$2,500; undergo imprisonment for not less than 1 month nor more than 6 months.
- ³ (iii) For a third or subsequent offense: undergo imprisonment for not less than six months nor more than two years.

OMNIBUS ASSIGNMENTS

§ 5502 OGS Assignments (based on mandatory minimum sentence requirements)		§ 5502 OGS Override (when OGS of statutory class is higher)	
1 year and > *subsq off +1 (up to OGS 15)	13*	M-1	97
90 days to <1 year	9	M-2	4
30 days to <90 days	8	M	2
<30 days	7		
6 mos prob	4		

TABLE D-2—OGS Assignments, Mandatory Provisions, Title 75

<i>75 Pa.C.S. §</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Mand. Sentence Provision</i>	<i>Enhance</i>
1543(b)(1)(iii)	Drive w/ suspended/revoked license as condition of ARD/conviction for DUI (3rd/subsq off)	M-3	9	6 months	
1543(b)(1.1)(ii)	Drive w/ susp. lic. & BAC >=0.02%/or under influence of controlled subst. (2nd off)	M-3	9	6 months	
1543(b)(1.1)(iii)	Drive w/ susp. lic. & BAC >=0.02%/or under influence of controlled subst. (3rd/subsq off)	M-1	13	2 years	
1571(a.1)	Violations concerning licenses-agents issuing altered driver's license	F-3	9	NA	
1571(a)(5)	Violations concerning licenses-exhibit fictitious driver's license	M-1	7	NA	
3105(g)(2)	Unauth. operation of preemptive device	M-3	2	NA	
3367	Racing on highways (2nd/subsq off)	M	2	NA	
3712(a)	Abandonment of vehicles-on highway (3rd/subsq off)	M-3	2	NA	
3712(b)	Abandonment of vehicles-public/private property (3rd/subsq off)	M-3	2	NA	
3712.2(a)	Stripping abandoned vehicles (2nd/subsq off)	F-3	9	NA	
3712.2(a)	Stripping abandoned vehicles (1st off)	M-3	2	NA	
3732(a)*	Homicide by vehicle-w/ one additional factor from each of the following two categories present during the criminal incident: A) DUI conviction or texting (75-3316) and B) active work zone (75-3326), emergency vehicle (75-3325), or emergency response area (75-3327) (Category A and Category B)	F-3 ¹	16	NA	E
3732(a)*	Homicide by vehicle-w/ one additional factor from each of the following two categories present during the criminal incident: A) DUI conviction or texting (75-3316) and C) required to be licensed (75-1501), operating privilege suspended / revoked (75-1543) (Category A and Category C)	F-3 ¹	16	NA	E
3732(a)*	Homicide by vehicle-w/ one additional factor from each of the following two categories present during the criminal incident: B) required to be licensed (75-1501), operating privilege suspended/revoked (75-1543) and C) active work zone (75-3326), emergency vehicle (75-3325), or emergency response area (75-3327) (Category B and Category C)	F-3 ¹	14	NA	E
3732(a)*	Homicide by vehicle-w/ one additional factor present during the criminal incident: A) DUI conviction, texting (75-3316) or B) required to be licensed (75-1501), operating privilege suspended/revoked (75-1543) or C) active work zone (75-3326), emergency vehicle (75-3325), or emergency response area (75-3327) (Category A or Category B or Category C)	F-3 ¹	14	NA	E
3732(a)*	Homicide by vehicle	F-3	12	NA	
3732.1(a)*	Aggravated assault by vehicle w/ one additional factor from each of the following two categories present during the criminal incident: A) DUI conviction or texting (75-3316) and B) active work zone (75-3326), emergency vehicle (75-3325), or emergency response area (75-3327) (Category A and Category B)	F-3 ²	15	NA	E
3732.1(a)*	Aggravated assault by vehicle w/ one additional factor from each of the following two categories present during the criminal incident: A) DUI conviction or texting (75-3316) and C) required to be licensed (75-1501), operating privilege suspended / revoked (75-1543) (Category A and Category C)	F-3 ²	15	NA	E

75 Pa.C.S. §	Description	Statutory Class	Offense Gravity Score (OGS)	Mand. Sentence Provision	Enhance
3732.1(a)*	Aggravated assault by vehicle w/ one additional factor from each of the following two categories present during the criminal incident: B) required to be licensed (75-1501), operating privilege suspended / revoked (75-1543) and C) active work zone (75-3326), emergency vehicle (75-3325), or emergency response area (75-3327) (Category B and Category C)	F-3 ²	13	NA	E
3732.1(a)*	Aggravated assault by vehicle w/ one additional factor present during the criminal incident: A) DUI conviction, texting (75-3316), required to be licensed (75-1501) or B) operating privilege suspended/revoked (75-1543) or C) active work zone (75-3326), emergency vehicle (75-3325), or emergency response area (75-3327) (Category A or Category B or Category C)	F-3 ²	13	NA	E
3732.1(a)*	Aggravated assault by vehicle	F-3	11	NA	
3733(a)	Fleeing or eluding police officer	M-2	4	NA	
3733(a)	Fleeing or eluding police officer-with DUI/cross state line/high-speed chase	F-3	9	NA	
3735(a)(1)(i)	Homicide by vehicle while DUI	F-2	17	3 years	
3735(a)(1)(ii)	Homicide by vehicle while DUI (prior DUI)	F-1	18	3 years	
3735.1(a)	Aggravated assault by vehicle while DUI	F-2	16	NA	
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	17	NA	
3742(a)	Accident involving death/personal injury-failure to stop (death)	F-2	17	3 years	E
3742(a)	Accident involving death/personal injury-failure to stop (SBI)	F-3	9	90 days	
3742(a)	Accident involving death/personal injury-failure to stop (injury)	M-1	7	NA	
3742.1(a)(1)*	Accident involving death/personal injury-not properly licensed (death)	F-3	11	NA	
3742.1(a)(1)*	Accident involving death/personal injury-not properly licensed (SBI)	F-3	9	NA	
3742.1(a)(1)	Accident involving death/personal injury-not properly licensed	M-2	4	NA	
3742.1(a)(2)	Accident involving death/personal injury-not properly licensed: acting with negligence (death)	M-2	7	NA	
3742.1(a)(2)	Accident involving death/personal injury-not properly licensed: acting with negligence (SBI)	M-3	4	NA	
3743(a)	Accident involving damage to attended vehicle or property	M-3	2	NA	
3802	Driving under the influence of alcohol or controlled substance (DUI) (See mandatory provisions § 303.9(i))				
3802(a)(1)	DUI-general impairment/incapable of safe driving (1st off)	M	4	6 mos prob	
3802(a)(1)	DUI-general impairment/incapable of safe driving (1st off); 1st violation involving minor occupant	M-1 ³	7	6 mos prob	
3802(a)(1)	DUI-general impairment/incapable of safe driving (prior conviction 75-3735)(1st off)	F-3	9	6 mos prob	
3802(a)(1)	DUI-general impairment/incapable of safe driving (2nd off)	M	7	5 days	
3802(a)(1)	DUI-general impairment/incapable of safe driving (2nd off); 1st violation involving minor occupant	M-1 ³	7	5 days	

<i>75 Pa.C.S. §</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Mand. Sentence Provision</i>	<i>Enhance</i>
3802(a)(1)	DUI-general impairment/incapable of safe driving (2nd off); 2nd violation involving minor occupant	M-1 ⁴	9	5 days + 1 to 6 mos	
3802(a)(1)	DUI-general impairment/incapable of safe driving (prior conviction 75-3735)(2nd off)	F-3	9	5 days	
3802(a)(1)	DUI-general impairment/incapable of safe driving (3rd off)	M-2	7	10 days	
3802(a)(1)	DUI-general impairment/incapable of safe driving (3rd off); 1st violation involving minor occupant	M-1 ³	7	10 days	
3802(a)(1)	DUI-general impairment/incapable of safe driving (3rd off); 2nd violation involving minor occupant	M-1 ⁴	8	10 days + 1 to 6 mos	
3802(a)(1)	DUI-general impairment/incapable of safe driving (3rd off); 3rd/subsq violation involving minor occupant	F-3 ⁵	9	10 days + 6 mos to 2 years	
3802(a)(1)	DUI-general impairment/incapable of safe driving (prior conviction 75-3735)(3rd off)	F-3	9	10 days	
3802(a)(1)	DUI-general impairment/incapable of safe driving (4th/subsq off)	F-3	9	10 days	
3802(a)(1)	DUI-general impairment/incapable of safe driving (4th/subsq off); 1st violation involving minor occupant	F-3 ³	9	10 days	
3802(a)(1)	DUI-general impairment/incapable of safe driving (4th/subsq off); 2nd violation involving minor occupant	F-3 ⁴	9	10 days + 1 to 6 mos	
3802(a)(1)	DUI-general impairment/incapable of safe driving (4th/subsq off); 3rd/subsq violation involving minor occupant	F-3 ⁵	9	10 days + 6 mos to 2 years	
3802(a)(1)	DUI-general impairment/incapable of safe driving (prior conviction 75-3735) (4th/subsq off)	F-3	9	10 days	
3802(a)(1)	DUI-incapable of safe driving: refused testing (1st off)	M	7	72 hours	
3802(a)(1)	DUI-incapable of safe driving: refused testing (1st off); 1st violation involving minor occupant	M-1 ³	7	72 hours	
3802(a)(1)	DUI-incapable of safe driving: refused testing (prior conviction 75-3735) (1st off)	F-3	7	72 hours	
3802(a)(1)	DUI-incapable of safe driving: refused testing (2nd off)	M-1	9	90 days	
3802(a)(1)	DUI-incapable of safe driving: refused testing (2nd off); 1st violation involving minor occupant	M-1 ³	9	90 days	
3802(a)(1)	DUI-incapable of safe driving: refused testing (2nd off); 2nd violation involving minor occupant	M-1 ⁴	9	90 days + 1 to 6 mos	
3802(a)(1)	DUI-incapable of safe driving: refused testing (prior conviction 75-3735) (2nd off)	F-3	9	90 days	
3802(a)(1)	DUI-incapable of safe driving: refused testing (3rd off)	F-3	13	1 year	
3802(a)(1)	DUI-incapable of safe driving: refused testing (3rd off); 1st violation involving minor occupant	F-3 ³	13	1 year	
3802(a)(1)	DUI-incapable of safe driving: refused testing (3rd off); 2nd violation involving minor occupant	F-3 ⁴	13	1 year + 1 to 6 mos	
3802(a)(1)	DUI-incapable of safe driving: refused testing (3rd off); 3rd/subsq violation involving minor occupant	F-3 ⁵	13	1 year + 6 mos to 2 years	
3802(a)(1)	DUI-incapable of safe driving: refused testing (prior conviction 75-3735) (3rd off)	F-3	13	1 year	
3802(a)(1)	DUI-incapable of safe driving: refused testing (4th off)	F-2	14	1 year	

<i>75 Pa.C.S. §</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Mand. Sentence Provision</i>	<i>Enhance</i>
3802(a)(1)	DUI-incapable of safe driving: refused testing (4th off); 1st violation involving minor occupant	F-2 ³	14	1 year	
3802(a)(1)	DUI-incapable of safe driving: refused testing (4th off); 2nd violation involving minor occupant	F-2 ⁴	14	1 year + 1 to 6 mos	
3802(a)(1)	DUI-incapable of safe driving: refused testing (4th off); 3rd/subsq violation involving minor occupant	F-2 ⁵	14	1 year + 6 mos to 2 years	
3802(a)(1)	DUI-incapable of safe driving: refused testing (5th/subsq off)(E)	F-2	15	1 year	
3802(a)(1)	DUI-incapable of safe driving: refused testing (prior conviction 75-3735) (5th/subsq off)	F-2	15	1 year	E
3802(a)(1)	DUI-incapable of safe driving: accident w/BI/SBI/death (1st off)	M	7	48 hours	
3802(a)(1)	DUI-incapable of safe driving: accident w/BI/SBI/death (1st off); 1st violation involving minor occupant	M-1 ³	7	48 hours	
3802(a)(1)	DUI-incapable of safe driving: accident w/BI/SBI/death (prior conviction 75-3735) (1st off)	F-3	9	48 hours	
3802(a)(1)	DUI-incapable of safe driving: accident w/BI/SBI/death (2nd off)	M	8	30 days	
3802(a)(1)	DUI-incapable of safe driving: accident w/BI/SBI/death (2nd off); 1st violation involving minor occupant	M-1 ³	8	30 days	
3802(a)(1)	DUI-incapable of safe driving: accident w/BI/SBI/death (2nd off); 2nd violation involving minor occupant	M-1 ⁴	8	30 days + 1 to 6 mos	
3802(a)(1)	DUI-incapable of safe driving: accident w/BI/SBI/death (prior conviction 75-3735) (2nd off)	F-3	9	30 days	
3802(a)(1)	DUI-incapable of safe driving: accident w/BI/SBI/death (3rd off)	M-1	9	90 days	
3802(a)(1)	DUI-incapable of safe driving: accident w/BI/SBI/death (3rd off); 1st violation involving minor occupant	M-1 ³	9	90 days	
3802(a)(1)	DUI-incapable of safe driving: accident w/BI/SBI/death (3rd off); 2nd violation involving minor occupant	M-1 ⁴	9	90 days + 1 to 6 mos	
3802(a)(1)	DUI-incapable of safe driving: accident w/BI/SBI/death (3rd off); 3rd/subsq violation involving minor occupant	F-3 ⁵	9	90 days + 6 mos to 2 years	
3802(a)(1)	DUI-incapable of safe driving: accident w/BI/SBI/death (prior conviction 75-3735) (3rd off)	F-3	9	90 days	
3802(a)(1)	DUI-incapable of safe driving: accident w/BI/SBI/death (4th/subsq off)	F-3	13	1 year	
3802(a)(1)	DUI-incapable of safe driving: accident w/BI/SBI/death (4th/subsq off); 1st violation involving minor occupant	F-3 ³	13	1 year	
3802(a)(1)	DUI-incapable of safe driving: accident w/BI/SBI/death (4th/subsq off); 2nd violation involving minor occupant	F-3 ⁴	13	1 year + 1 to 6 mos	
3802(a)(1)	DUI-incapable of safe driving: accident w/BI/SBI/death (4th/subsq off); 3rd/subsq violation involving minor occupant	F-3 ⁵	13	1 year + 6 mos to 2 years	
3802(a)(1)	DUI-incapable of safe driving: accident w/BI/SBI/death (prior conviction 75-3735) (4th/subsq off)	F-3	13	1 year	
3802(a)(1)	DUI-incapable of safe driving: damage to vehicle/property (1st off)	M	7	48 hours	
3802(a)(1)	DUI-incapable of safe driving: damage to vehicle/property (1st off); 1st violation involving minor occupant	M-1 ³	7	48 hours	

<i>75 Pa.C.S. §</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Mand. Sentence Provision</i>	<i>Enhance</i>
3802(a)(1)	DUI-incapable of safe driving: damage to vehicle/property (prior conviction 75-3735) (1st off)	F-3	9	48 hours	
3802(a)(1)	DUI-incapable of safe driving: damage to vehicle/property (2nd off)	M	8	30 days	
3802(a)(1)	DUI-incapable of safe driving: damage to vehicle/property (2nd off); 1st violation involving minor occupant	M-1 ³	8	30 days	
3802(a)(1)	DUI-incapable of safe driving: damage to vehicle/property (2nd off); 2nd violation involving minor occupant	M-1 ⁴	8	30 days + 1 to 6 mos	
3802(a)(1)	DUI-incapable of safe driving: damage to vehicle/property (prior conviction 75-3735) (2nd off)	F-3	9	30 days	
3802(a)(1)	DUI-incapable of safe driving: damage to vehicle/property (3rd off)	M-1	9	90 days	
3802(a)(1)	DUI-incapable of safe driving: damage to vehicle/property (3rd off); 1st violation involving minor occupant	M-1 ³	9	90 days	
3802(a)(1)	DUI-incapable of safe driving: damage to vehicle/property (3rd off); 2nd violation involving minor occupant	M-1 ⁴	9	90 days + 1 to 6 mos	
3802(a)(1)	DUI-incapable of safe driving: damage to vehicle/property (3rd off); 3rd/subsq violation involving minor occupant	F-3 ⁵	9	90 days + 6 mos to 2 years	
3802(a)(1)	DUI-incapable of safe driving: damage to vehicle/property (prior conviction 75-3735) (3rd off)	F-3	9	90 days	
3802(a)(1)	DUI-incapable of safe driving: damage to vehicle/property (4th/subsq off)	F-3	13	1 year	
3802(a)(1)	DUI-incapable of safe driving: damage to vehicle/property (4th/subsq off); 1st violation involving minor occupant	F-3 ³	13	1 year	
3802(a)(1)	DUI-incapable of safe driving: damage to vehicle/property (4th/subsq off); 2nd violation involving minor occupant	F-3 ⁴	13	1 year + 1 to 6 mos	
3802(a)(1)	DUI-incapable of safe driving: damage to vehicle/property (4th/subsq off); 3rd/subsq violation involving minor occupant	F-3 ⁵	13	1 year + 6 mos to 2 years	
3802(a)(1)	DUI-incapable of safe driving: damage to vehicle/property (prior conviction 75-3735) (4th/subsq off)	F-3	13	1 year	
3802(a)(2)	DUI-general impairment: BAC .08-<.10 (1st off)	M	4	6 mos prob	
3802(a)(2)	DUI-general impairment: BAC .08-<.10 (1st off); 1st violation involving minor occupant	M-1 ³	7	6 mos prob	
3802(a)(2)	DUI-general impairment: BAC .08-<.10 (prior conviction 75-3735) (1st off)	F-3	9	6 mos prob	
3802(a)(2)	DUI-general impairment: BAC .08-<.10 (2nd off)	M	7	5 days	
3802(a)(2)	DUI-general impairment: BAC .08-<.10 (2nd off); 1st violation involving minor occupant	M-1 ³	7	5 days	
3802(a)(2)	DUI-general impairment: BAC .08-<.10 (2nd off); 2nd violation involving minor occupant	M-1 ⁴	8	5 days + 1 to 6 mos	
3802(a)(2)	DUI-general impairment: BAC .08-<.10 (prior conviction 75-3735) (2nd off)	F-3	9	5 days	
3802(a)(2)	DUI-general impairment: BAC .08-<.10 (3rd off)	M-2	7	10 days	
3802(a)(2)	DUI-general impairment: BAC .08-<.10 (3rd off); 1st violation involving minor occupant	M-1 ³	7	10 days	
3802(a)(2)	DUI-general impairment: BAC .08-<.10 (3rd off); 2nd violation involving minor occupant	M-1 ⁴	8	10 days + 1 to 6 mos	

<i>75 Pa.C.S. §</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Mand. Sentence Provision</i>	<i>Enhance</i>
3802(a)(2)	DUI-general impairment: BAC .08-<.10 (3rd off); 3rd/subsq violation involving minor occupant	F-3 ⁵	9	10 days + 6 mos to 2 years	
3802(a)(2)	DUI-general impairment: BAC .08-<.10 (prior conviction 75-3735) (3rd off)	F-3	9	10 days	
3802(a)(2)	DUI-general impairment: BAC .08-<.10 (4th/subsq off)	F-3	9	10 days	
3802(a)(2)	DUI-general impairment: BAC .08-<.10 (4th/subsq off); 1st violation involving minor occupant	F-3 ³	9	10 days	
3802(a)(2)	DUI-general impairment: BAC .08-<.10 (4th/subsq off); 2nd violation involving minor occupant	F-3 ⁴	9	10 days + 1 to 6 mos	
3802(a)(2)	DUI-general impairment: BAC .08-<.10 (4th/subsq off); 3rd/subsq violation involving minor occupant	F-3 ⁵	9	10 days + 6 mos to 2 years	
3802(a)(2)	DUI-general impairment: BAC .08-<.10 (prior conviction 75-3735) (4th/subsq off)	F-3	9	10 days	
3802(b)	DUI-high rate of alcohol: BAC .10-<.16 (1st off)	M	7	48 hours	
3802(b)	DUI-high rate of alcohol: BAC .10-<.16 (1st off); 1st violation involving minor occupant	M-1 ³	7	48 hours	
3802(b)	DUI-high rate of alcohol: BAC .10-<.16 (prior conviction 75-3735) (1st off)	F-3	9	48 hours	
3802(b)	DUI-high rate of alcohol: BAC .10-<.16 (2nd off)	M	8	30 days	
3802(b)	DUI-high rate of alcohol: BAC .10-<.16 (2nd off); 1st violation involving minor occupant	M-1 ³	8	30 days	
3802(b)	DUI-high rate of alcohol: BAC .10-<.16 (2nd off); 2nd violation involving minor occupant	M-1 ⁴	8	30 days + 1 to 6 mos	
3802(b)	DUI-high rate of alcohol: BAC .10-<.16 (prior conviction 75-3735) (2nd off)	F-3	9	30 days	
3802(b)	DUI-high rate of alcohol: BAC .10-<.16 (3rd off)	M-1	9	90 days	
3802(b)	DUI-high rate of alcohol: BAC .10-<.16 (3rd off); 1st violation involving minor occupant	M-1 ³	9	90 days	
3802(b)	DUI-high rate of alcohol: BAC .10-<.16 (3rd off); 2nd violation involving minor occupant	M-1 ⁴	9	90 days + 1 to 6 mos	
3802(b)	DUI-high rate of alcohol: BAC .10-<.16 (3rd off); 3rd/subsq violation involving minor occupant	F-3 ⁵	9	90 days + 6 mos to 2 years	
3802(b)	DUI-high rate of alcohol: BAC .10-<.16 (prior conviction 75-3735) (3rd off)	F-3	9	90 days	
3802(b)	DUI-high rate of alcohol: BAC .10-<.16 (4th/subsq off)	F-3	13	1 year	
3802(b)	DUI-high rate of alcohol: BAC .10-<.16 (4th/subsq off); 1st violation involving minor occupant	F-3 ³	13	1 year	
3802(b)	DUI-high rate of alcohol: BAC .10-<.16 (4th/subsq off); 2nd violation involving minor occupant	F-3 ⁴	13	1 year + 1 to 6 mos	
3802(b)	DUI-high rate of alcohol: BAC .10-<.16 (4th/subsq off); 3rd/subsq violation involving minor occupant	F-3 ⁵	13	1 year + 6 mos to 2 years	
3802(b)	DUI-high rate of alcohol: BAC .10-<.16 (prior conviction 75-3735) (4th/subsq off)	F-3	13	1 year	
3802(c)	DUI-highest rate of alcohol: BAC >=.16 (1st off)	M	7	72 hours	
3802(c)	DUI-highest rate of alcohol: BAC >=.16 (1st off); 1st violation involving minor occupant	M-1 ³	7	72 hours	

<i>75 Pa.C.S. §</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Mand. Sentence Provision</i>	<i>Enhance</i>
3802(c)	DUI-highest rate of alcohol: BAC \geq .16 (prior conviction 75-3735) (1st off)	F-3	9	72 hours	
3802(c)	DUI-highest rate of alcohol: BAC \geq .16 (2nd off)	M-1	9	90 days	
3802(c)	DUI-highest rate of alcohol: BAC \geq .16 (2nd off); 1st violation involving minor occupant	M-1 ³	9	90 days	
3802(c)	DUI-highest rate of alcohol: BAC \geq .16 (2nd off); 2nd violation involving minor occupant	M-1 ⁴	9	90 days + 1 to 6 mos	
3802(c)	DUI-highest rate of alcohol: BAC \geq .16 (prior conviction 75-3735) (2nd off)	F-3	9	90 days	
3802(c)	DUI-highest rate of alcohol: BAC \geq .16 (3rd off)	F-3	13	1 year	
3802(c)	DUI-highest rate of alcohol: BAC \geq .16 (3rd off); 1st violation involving minor occupant	F-3 ³	13	1 year	
3802(c)	DUI-highest rate of alcohol: BAC \geq .16 (3rd off); 2nd violation involving minor occupant	F-3 ⁴	13	1 year + 1 to 6 mos	
3802(c)	DUI-highest rate of alcohol: BAC \geq .16 (3rd off); 3rd/subsq violation involving minor occupant	F-3 ⁵	13	1 year + 6 mos to 2 years	
3802(c)	DUI-highest rate of alcohol: BAC \geq .16 (prior conviction 75-3735) (3rd off)	F-3	13	1 year	
3802(c)	DUI-highest rate of alcohol: BAC \geq .16 (4th off)	F-2	14	1 year	
3802(c)	DUI-highest rate of alcohol: BAC \geq .16 (4th off); 1st violation involving minor occupant	F-2 ³	14	1 year	
3802(c)	DUI-highest rate of alcohol: BAC \geq .16 (4th off); 2nd violation involving minor occupant	F-2 ⁴	14	1 year + 1 to 6 mos	
3802(c)	DUI-highest rate of alcohol: BAC \geq .16 (4th off); 3rd/subsq violation involving minor occupant	F-2 ⁵	14	1 year + 6 mos to 2 years	
3802(c)	DUI-highest rate of alcohol: BAC \geq .16 (prior conviction 75-3735) (4th off)	F-2	14	1 year	
3802(c)	DUI-highest rate of alcohol: BAC \geq .16 (5th/subsq off)	F-2	15	1 year	E
3802(c)	DUI-highest rate of alcohol: BAC \geq .16 (prior conviction 75-3735) (5th/subsq off)	F-2	15	1 year	E
3802(d)(1)(i)	DUI-controlled substances: Sched I (1st off)	M	7	72 hours	
3802(d)(1)(i)	DUI-controlled substances: Sched I (1st off); 1st violation involving minor occupant	M-1 ³	7	72 hours	
3802(d)(1)(i)	DUI-controlled substances: Sched I (prior conviction 75-3735) (1st off)	F-3	9	72 hours	
3802(d)(1)(i)	DUI-controlled substances: Sched I (2nd off)	M-1	9	90 days	
3802(d)(1)(i)	DUI-controlled substances: Sched I (2nd off); 1st violation involving minor occupant	M-1 ³	9	90 days	
3802(d)(1)(i)	DUI-controlled substances: Sched I (2nd off); 2nd violation involving minor occupant	M-1 ⁴	9	90 days + 1 to 6 mos	
3802(d)(1)(i)	DUI-controlled substances: Sched I (prior conviction 75-3735) (2nd off)	F-3	9	90 days	
3802(d)(1)(i)	DUI-controlled substances: Sched I (3rd off)	F-3	13	1 year	
3802(d)(1)(i)	DUI-controlled substances: Sched I (3rd off); 1st violation involving minor occupant	F-3 ³	13	1 year	
3802(d)(1)(i)	DUI-controlled substances: Sched I (3rd off); 2nd violation involving minor occupant	F-3 ⁴	13	1 year + 1 to 6 mos	

<i>75 Pa.C.S. §</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Mand. Sentence Provision</i>	<i>Enhance</i>
3802(d)(1)(i)	DUI-controlled substances: Sched I (3rd off); 3rd/subsq violation involving minor occupant	F-3 ⁵	13	1 year + 6 mos to 2 years	
3802(d)(1)(i)	DUI-controlled substances: Sched I (prior conviction 75-3735) (3rd off)	F-3	13	1 year	
3802(d)(1)(i)	DUI-controlled substances: Sched I (4th off)	F-2	14	1 year	
3802(d)(1)(i)	DUI-controlled substances: Sched I (4th off); 1st violation involving minor occupant	F-2 ³	14	1 year	
3802(d)(1)(i)	DUI-controlled substances: Sched I (4th off); 2nd violation involving minor occupant	F-2 ⁴	14	1 year + 1 to 6 mos	
3802(d)(1)(i)	DUI-controlled substances: Sched I (4th off); 3rd/subsq violation involving minor occupant	F-2 ⁵	14	1 year + 6 mos to 2 years	
3802(d)(1)(i)	DUI-controlled substances: Sched I (prior conviction 75-3735) (4th off)	F-2	14	1 year	
3802(d)(1)(i)	DUI-controlled substances: Sched I (5th/subsq off)	F-2	15	1 year	E
3802(d)(1)(i)	DUI-controlled substances: Sched I (prior conviction 75-3735) (5th/subsq off)	F-2	15	1 year	E
3802(d)(1)(ii)	DUI-controlled substances: Sched II/III (1st off)	M	7	72 hours	
3802(d)(1)(ii)	DUI-controlled substances: Sched II/III (1st off); 1st violation involving minor occupant	M-1 ³	7	72 hours	
3802(d)(1)(ii)	DUI-controlled substances: Sched II/III (prior conviction 75-3735) (1st off)	F-3	9	72 hours	
3802(d)(1)(ii)	DUI-controlled substances: Sched II/III (2nd off)	M-1	9	90 days	
3802(d)(1)(ii)	DUI-controlled substances: Sched II/III (2nd off); 1st violation involving minor occupant	M-1 ³	9	90 days	
3802(d)(1)(ii)	DUI-controlled substances: Sched II/III (2nd off); 2nd violation involving minor occupant	M-1 ⁴	9	90 days + 1 to 6 mos	
3802(d)(1)(ii)	DUI-controlled substances: Sched II/III (prior conviction 75-3735) (2nd off)	F-3	9	90 days	
3802(d)(1)(ii)	DUI-controlled substances: Sched II/III (3rd off)	F-3	13	1 year	
3802(d)(1)(ii)	DUI-controlled substances: Sched II/III (3rd off); 1st violation involving minor occupant	F-3 ³	13	1 year	
3802(d)(1)(ii)	DUI-controlled substances: Sched II/III (3rd off); 2nd violation involving minor occupant	F-3 ⁴	13	1 year + 1 to 6 mos	
3802(d)(1)(ii)	DUI-controlled substances: Sched II/III (3rd off); 3rd/subsq violation involving minor occupant	F-3 ⁵	13	1 year + 6 mos to 2 years	
3802(d)(1)(ii)	DUI-controlled substances: Sched II/III (prior conviction 75-3735) (3rd off)	F-3	13	1 year	
3803(d)(1)(ii)	DUI-controlled substances: Sched II/III (4th off)	F-2	14	1 year	
3803(d)(1)(ii)	DUI-controlled substances: Sched II/III (4th off); 1st violation involving minor occupant	F-2 ³	14	1 year	
3803(d)(1)(ii)	DUI-controlled substances: Sched II/III (4th off); 2nd violation involving minor occupant	F-2 ⁴	14	1 year + 1 to 6 mos	
3803(d)(1)(ii)	DUI-controlled substances: Sched II/III (4th off); 3rd/subsq violation involving minor occupant	F-2 ⁵	14	1 year + 6 mos to 2 years	
3803(d)(1)(ii)	DUI-controlled substances: Sched II/III (prior conviction 75-3735) (4th off)	F-2	14	1 year	

<i>75 Pa.C.S. §</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Mand. Sentence Provision</i>	<i>Enhance</i>
3803(d)(1)(ii)	DUI-controlled substances: Sched II/III (5th/subsq off)	F-2	15	1 year	E
3803(d)(1)(ii)	DUI-controlled substances: Sched II/III (prior conviction 75-3735) (5th/subsq off)	F-2	15	1 year	E
3802(d)(1)(iii)	DUI-controlled substances: metabolite of Sched I/II/III (1st off)	M	7	72 hours	
3802(d)(1)(iii)	DUI-controlled substances: metabolite of Sched I/II/III (1st off); 1st violation involving minor occupant	M-1 ³	7	72 hours	
3802(d)(1)(iii)	DUI-controlled substances: metabolite of Sched I/II/III (prior conviction 75-3735) (1st off)	F-3	9	72 hours	
3802(d)(1)(iii)	DUI-controlled substances: metabolite of Sched I/II/III (2nd off)	M-1	9	90 days	
3802(d)(1)(iii)	DUI-controlled substances: metabolite of Sched I/II/III (2nd off); 1st violation involving minor occupant	M-1 ³	9	90 days	
3802(d)(1)(iii)	DUI-controlled substances: metabolite of Sched I/II/III (2nd off); 2nd violation involving minor occupant	M-1 ⁴	9	90 days + 1 to 6 mos	
3802(d)(1)(iii)	DUI-controlled substances: metabolite of Sched I/II/III (prior conviction 75-3735) (2nd off)	F-3	9	90 days	
3802(d)(1)(iii)	DUI-controlled substances: metabolite of Sched I/II/III (3rd off)	F-3	13	1 year	
3802(d)(1)(iii)	DUI-controlled substances: metabolite of Sched I/II/III (3rd off); 1st violation involving minor occupant	F-3 ³	13	1 year	
3802(d)(1)(iii)	DUI-controlled substances: metabolite of Sched I/II/III (3rd off); 2nd violation involving minor occupant	F-3 ⁴	13	1 year + 1 to 6 mos	
3802(d)(1)(iii)	DUI-controlled substances: metabolite of Sched I/II/III (3rd off); 3rd/subsq violation involving minor occupant	F-3 ⁵	13	1 year + 6 mos to 2 years	
3802(d)(1)(iii)	DUI-controlled substances: metabolite of Sched I/II/III (prior conviction 75-3735) (3rd off)	F-3	13	1 year	
3802(d)(1)(iii)	DUI-controlled substances: metabolite of Sched I/II/III (4th off)	F-2	14	1 year	
3802(d)(1)(iii)	DUI-controlled substances: metabolite of Sched I/II/III (4th off); 1st violation involving minor occupant	F-2 ³	14	1 year	
3802(d)(1)(iii)	DUI-controlled substances: metabolite of Sched I/II/III (4th off); 2nd violation involving minor occupant	F-2 ⁴	14	1 year + 1 to 6 mos	
3802(d)(1)(iii)	DUI-controlled substances: metabolite of Sched I/II/III (4th off); 3rd/subsq violation involving minor occupant	F-2 ⁵	14	1 year + 6 mos to 2 years	
3802(d)(1)(iii)	DUI-controlled substances: metabolite of Sched I/II/III (prior conviction 75-3735) (4th off)	F-2	14	1 year	
3802(d)(1)(iii)	DUI-controlled substances: metabolite of Sched I/II/III (5th/subsq off)	F-2	15	1 year	E
3802(d)(1)(iii)	DUI-controlled substances: metabolite of Sched I/II/III (prior conviction 75-3735) (5th/subsq off)	F-2	15	1 year	E
3802(d)(2)	DUI-controlled substances & incapable of safe driving (1st off)	M	7	72 hours	
3802(d)(2)	DUI-controlled substances & incapable of safe driving (1st off); 1st violation involving minor occupant	M-1 ³	7	72 hours	
3802(d)(2)	DUI-controlled substances & incapable of safe driving (prior conviction 75-3735) (1st off)	F-3	9	72 hours	
3802(d)(2)	DUI-controlled substances & incapable of safe driving (2nd off)	M-1	9	90 days	

<i>75 Pa.C.S. §</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Mand. Sentence Provision</i>	<i>Enhance</i>
3802(d)(2)	DUI-controlled substances & incapable of safe driving (2nd off); 1st violation involving minor occupant	M-1 ³	9	90 days	
3802(d)(2)	DUI-controlled substances & incapable of safe driving (2nd off); 2nd violation involving minor occupant	M-1 ⁴	9	90 days + 1 to 6 mos	
3802(d)(2)	DUI-controlled substances & incapable of safe driving (prior conviction 75-3735) (2nd off)	F-3	9	90 days	
3802(d)(2)	DUI-controlled substances & incapable of safe driving (3rd off)	F-3	13	1 year	
3802(d)(2)	DUI-controlled substances & incapable of safe driving (3rd off); 1st violation involving minor occupant	F-3 ³	13	1 year	
3802(d)(2)	DUI-controlled substances & incapable of safe driving (3rd off); 2nd violation involving minor occupant	F-3 ⁴	13	1 year + 1 to 6 mos	
3802(d)(2)	DUI-controlled substances & incapable of safe driving (3rd off); 3rd/subsq violation involving minor occupant	F-3 ⁵	13	1 year + 6 mos to 2 years	
3802(d)(2)	DUI-controlled substances & incapable of safe driving (prior conviction 75-3735) (3rd off)	F-3	13	1 year	
3802(d)(2)	DUI-controlled substances & incapable of safe driving (4th off)	F-2	14	1 year	
3802(d)(2)	DUI-controlled substances & incapable of safe driving (4th off); 1st violation involving minor occupant	F-2 ³	14	1 year	
3802(d)(2)	DUI-controlled substances & incapable of safe driving (4th off); 2nd violation involving minor occupant	F-2 ⁴	14	1 year + 1 to 6 mos	
3802(d)(2)	DUI-controlled substances & incapable of safe driving (4th off); 3rd/subsq violation involving minor occupant	F-2 ⁵	14	1 year + 6 mos to 2 years	
3802(d)(2)	DUI-controlled substances & incapable of safe driving (prior conviction 75-3735) (4th off)	F-2	14	1 year	
3802(d)(2)	DUI-controlled substances & incapable of safe driving (5th/subsq off)	F-2	15	1 year	E
3802(d)(2)	DUI-controlled substances & incapable of safe driving (prior conviction 75-3735) (5th/subsq off)	F-2	15	1 year	E
3802(d)(3)	DUI-controlled substances & alcohol & incapable of safe driving (1st off)	M	7	72 hours	
3802(d)(3)	DUI-controlled substances & alcohol & incapable of safe driving (1st off); 1st violation involving minor occupant	M-1 ³	7	72 hours	
3802(d)(3)	DUI-controlled substances & alcohol & incapable of safe driving (prior conviction 75-3735) (1st off)	F-3	9	72 hours	
3802(d)(3)	DUI-controlled substances & alcohol & incapable of safe driving (2nd off)	M-1	9	90 days	
3802(d)(3)	DUI-controlled substances & alcohol & incapable of safe driving (2nd off); 1st violation involving minor occupant	M-1 ³	9	90 days	
3802(d)(3)	DUI-controlled substances & alcohol & incapable of safe driving (2nd off); 2nd violation involving minor occupant	M-1 ⁴	9	90 days + 1 to 6 mos	
3802(d)(3)	DUI-controlled substances & alcohol & incapable of safe driving (prior conviction 75-3735) (2nd off)	F-3	9	90 days	
3802(d)(3)	DUI-controlled substances & alcohol & incapable of safe driving (3rd off)	F-3	13	1 year	
3802(d)(3)	DUI-controlled substances & alcohol & incapable of safe driving (3rd off); 1st violation involving minor occupant	F-3 ³	13	1 year	

<i>75 Pa.C.S. §</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Mand. Sentence Provision</i>	<i>Enhance</i>
3802(d)(3)	DUI-controlled substances & alcohol & incapable of safe driving (3rd off); 2nd violation involving minor occupant	F-3 ⁴	13	1 year + 1 to 6 mos	
3802(d)(3)	DUI-controlled substances & alcohol & incapable of safe driving (3rd off); 3rd/subsq violation involving minor occupant	F-3 ⁵	13	1 year + 6 mos to 2 years	
3802(d)(3)	DUI-controlled substances & alcohol & incapable of safe driving (prior conviction 75-3735) (3rd off)	F-3	13	1 year	
3802(d)(3)	DUI-controlled substances & alcohol & incapable of safe driving (4th off)	F-2	14	1 year	
3802(d)(3)	DUI-controlled substances & alcohol & incapable of safe driving (4th off); 1st violation involving minor occupant	F-2 ³	14	1 year	
3802(d)(3)	DUI-controlled substances & alcohol & incapable of safe driving (4th off); 2nd violation involving minor occupant	F-2 ⁴	14	1 year + 1 to 6 mos	
3802(d)(3)	DUI-controlled substances & alcohol & incapable of safe driving (4th off); 3rd/subsq violation involving minor occupant	F-2 ⁵	14	1 year + 6 mos to 2 years	
3802(d)(3)	DUI-controlled substances & alcohol & incapable of safe driving (prior conviction 75-3735) (4th off)	F-2	14	1 year	
3802(d)(3)	DUI-controlled substances & alcohol & incapable of safe driving (5th/subsq off)	F-2	15	1 year	E
3802(d)(3)	DUI-controlled substances & alcohol & incapable of safe driving (prior conviction 75-3735) (5th/subsq off)	F-2	15	1 year	E
3802(d)(4)	DUI-controlled substances: solvent, etc. (1st off)	M	7	72 hours	
3802(d)(4)	DUI-controlled substances: solvent, etc. (1st off); 1st violation involving minor occupant	M-1 ³	7	72 hours	
3802(d)(4)	DUI-controlled substances: solvent, etc. (prior conviction 75-3735) (1st off)	F-3	9	72 hours	
3802(d)(4)	DUI-controlled substances: solvent, etc. (2nd off)	M-1	9	90 days	
3802(d)(4)	DUI-controlled substances: solvent, etc. (2nd off); 1st violation involving minor occupant	M-1 ³	9	90 days	
3802(d)(4)	DUI-controlled substances: solvent, etc. (2nd off); 2nd violation involving minor occupant	M-1 ⁴	9	90 days + 1 to 6 mos	
3802(d)(4)	DUI-controlled substances: solvent, etc. (prior conviction 75-3735) (2nd off)	F-3	9	90 days	
3802(d)(4)	DUI-controlled substances: solvent, etc. (3rd off)	F-3	13	1 year	
3802(d)(4)	DUI-controlled substances: solvent, etc. (3rd off); 1st violation involving minor occupant	F-3 ³	13	1 year	
3802(d)(4)	DUI-controlled substances: solvent, etc. (3rd off); 2nd violation involving minor occupant	F-3 ⁴	13	1 year + 1 to 6 mos	
3802(d)(4)	DUI-controlled substances: solvent, etc. (3rd off); 3rd/subsq violation involving minor occupant	F-3 ⁵	13	1 year + 6 mos to 2 years	
3802(d)(4)	DUI-controlled substances: solvent, etc. (prior conviction 75-3735) (3rd subsq off)	F-3	13	1 year	
3802(d)(4)	DUI-controlled substances: solvent, etc (4th off)	F-2	14	1 year	
3802(d)(4)	DUI-controlled substances: solvent, etc (4th off); 1st violation involving minor occupant	F-2 ³	14	1 year	
3802(d)(4)	DUI-controlled substances: solvent, etc (4th off); 2nd violation involving minor occupant	F-2 ⁴	14	1 year + 1 to 6 mos	

<i>75 Pa.C.S. §</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Mand. Sentence Provision</i>	<i>Enhance</i>
3802(d)(4)	DUI-controlled substances: solvent, etc (4th off); 3rd/subsq violation involving minor occupant	F-2 ⁵	14	1 year + 6 mos to 2 years	
3802(d)(4)	DUI-controlled substances: solvent, etc (prior conviction 75-3735) (4th off)	F-2	14	1 year	
3802(d)(4)	DUI-controlled substances: solvent, etc (5th/subsq off)	F-2	15	1 year	E
3802(d)(4)	DUI-controlled substances: solvent, etc (prior conviction 75-3735) (5th/subsq off)	F-2	15	1 year	E
3802(e)	DUI-minor driver (1st off)	M	7	48 hours	
3802(e)	DUI-minor driver (1st off); 1st violation involving minor occupant	M-1 ³	7	48 hours	
3802(e)	DUI-minor driver (prior conviction 75-3735) (1st off)	F-3	9	48 hours	
3802(e)	DUI-minor driver (2nd off)	M	8	30 days	
3802(e)	DUI-minor driver (2nd off); 1st violation involving minor occupant	M-1 ³	8	30 days	
3802(e)	DUI-minor driver (2nd off); 2nd violation involving minor occupant	M-1 ⁴	8	30 days + 1 to 6 mos	
3802(e)	DUI-minor driver (prior conviction 75-3735) (2nd off)	F-3	9	30 days	
3802(e)	DUI-minor driver (3rd off)	M-1	9	90 days	
3802(e)	DUI-minor driver (3rd off); 1st violation involving minor occupant	M-1 ³	9	90 days	
3802(e)	DUI-minor driver (3rd off); 2nd violation involving minor occupant	M-1 ⁴	9	90 days + 1 to 6 mos	
3802(e)	DUI-minor driver (3rd off); 3rd/subsq violation involving minor occupant	F-3 ⁵	9	90 days + 6 mos to 2 years	
3802(e)	DUI-minor driver (prior conviction 75-3735) (3rd off)	F-3	9	90 days	
3802(e)	DUI-minor driver (4th/subsq off)	F-3	13	1 year	
3802(e)	DUI-minor driver (4th/subsq off); 1st violation involving minor occupant	F-3 ³	13	1 year	
3802(e)	DUI-minor driver (4th/subsq off); 2nd violation involving minor occupant	F-3 ⁴	13	1 year + 1 to 6 mos	
3802(e)	DUI-minor driver (4th/subsq off); 3rd/subsq violation involving minor occupant	F-3 ⁵	13	1 year + 6 mos to 2 years	
3802(e)	DUI-minor driver (prior conviction 75-3735) (4th/subsq off)	F-3	13	1 year	
3802(f)(1)(i)	DUI-commercial vehicles (1st off)	M	7	48 hours	
3802(f)(1)(i)	DUI-commercial vehicles (1st off); 1st violation involving minor occupant	M-1 ³	7	48 hours	
3802(f)(1)(i)	DUI-commercial vehicles (prior conviction 75-3735) (1st off)	F-3	9	48 hours	
3802(f)(1)(i)	DUI-commercial vehicles (2nd off)	M	8	30 days	
3802(f)(1)(i)	DUI-commercial vehicles (2nd off); 1st violation involving minor occupant	M-1 ³	8	30 days	
3802(f)(1)(i)	DUI-commercial vehicles (2nd off); 2nd violation involving minor occupant	M-1 ⁴	8	30 days + 1 to 6 mos	
3802(f)(1)(i)	DUI-commercial vehicles (prior conviction 75-3735) (2nd off)	F-3	9	30 days	

<i>75 Pa.C.S. §</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Mand. Sentence Provision</i>	<i>Enhance</i>
3802(f)(1)(i)	DUI-commercial vehicles (3rd off)	M-1	9	90 days	
3802(f)(1)(i)	DUI-commercial vehicles (3rd off); 1st violation involving minor occupant	M-1 ³	9	90 days	
3802(f)(1)(i)	DUI-commercial vehicles (3rd off); 2nd violation involving minor occupant	M-1 ⁴	9	90 days + 1 to 6 mos	
3802(f)(1)(i)	DUI-commercial vehicles (3rd off); 3rd/subsq violation involving minor occupant	F-3 ⁵	9	90 days + 6 mos to 2 years	
3802(f)(1)(i)	DUI-commercial vehicles (prior conviction 75-3735) (3rd off)	F-3	9	90 days	
3802(f)(1)(i)	DUI-commercial vehicles (4th/subsq off)	F-3	13	1 year	
3802(f)(1)(i)	DUI-commercial vehicles (4th/subsq off); 1st violation involving minor occupant	F-3 ³	13	1 year	
3802(f)(1)(i)	DUI-commercial vehicles (4th/subsq off); 2nd violation involving minor occupant	F-3 ⁴	13	1 year + 1 to 6 mos	
3802(f)(1)(i)	DUI-commercial vehicles (4th/subsq off); 3rd/subsq violation involving minor occupant	F-3 ⁵	13	1 year + 6 mos to 2 years	
3802(f)(1)(i)	DUI-commercial vehicles (prior conviction 75-3735) (4th/subsq off)	F-3	13	1 year	
3802(f)(1)(ii)	DUI-school vehicles (1st off)	M	7	48 hours	
3802(f)(1)(ii)	DUI-school vehicles (1st off); 1st violation involving minor occupant	M-1 ³	7	48 hours	
3802(f)(1)(ii)	DUI-school vehicles (prior conviction 75-3735) (1st off)	F-3	9	48 hours	
3802(f)(1)(ii)	DUI-school vehicles (2nd off)	M	8	30 days	
3802(f)(1)(ii)	DUI-school vehicles (2nd off); 1st violation involving minor occupant	M-1 ³	8	30 days	
3802(f)(1)(ii)	DUI-school vehicles (2nd off); 2nd violation involving minor occupant	M-1 ⁴	8	30 days + 1 to 6 mos	
3802(f)(1)(ii)	DUI-school vehicles (prior conviction 75-3735) (2nd off)	F-3	9	30 days	
3802(f)(1)(ii)	DUI-school vehicles (3rd off)	M-1	9	90 days	
3802(f)(1)(ii)	DUI-school vehicles (3rd off); 1st violation involving minor occupant	M-1 ³	9	90 days	
3802(f)(1)(ii)	DUI-school vehicles (3rd off); 2nd violation involving minor occupant	M-1 ⁴	9	90 days + 1 to 6 mos	
3802(f)(1)(ii)	DUI-school vehicles (3rd off); 3rd/subsq violation involving minor occupant	F-3 ⁵	9	90 days + 6 mos to 2 years	
3802(f)(1)(ii)	DUI-school vehicles (prior conviction 75-3735) (3rd off)	F-3	9	90 days	
3802(f)(1)(ii)	DUI-school vehicles (4th/subsq off)	F-3	13	1 year	
3802(f)(1)(ii)	DUI-school vehicles (4th/subsq off); 1st violation involving minor occupant	F-3 ³	13	1 year	
3802(f)(1)(ii)	DUI-school vehicles (4th/subsq off); 2nd violation involving minor occupant	F-3 ⁴	13	1 year + 1 to 6 mos	
3802(f)(1)(ii)	DUI-school vehicles (4th/subsq off); 3rd/subsq violation involving minor occupant	F-3 ⁵	13	1 year + 6 mos to 2 years	
3802(f)(1)(ii)	DUI-school vehicles (prior conviction 75-3735) (4th/subsq off)	F-3	13	1 year	

<i>75 Pa.C.S. §</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Mand. Sentence Provision</i>	<i>Enhance</i>
3802(f)(2)	DUI-commercial/school vehicles & incapable of safe driving (1st off)	M	7	48 hours	
3802(f)(2)	DUI-commercial/school vehicles & incapable of safe driving (1st off); 1st violation involving minor occupant	M-1 ³	7	48 hours	
3802(f)(2)	DUI-commercial/school vehicles & incapable of safe driving (prior conviction 75-3735) (1st off)	F-3	9	48 hours	
3802(f)(2)	DUI-commercial/school vehicles & incapable of safe driving (2nd off)	M	8	30 days	
3802(f)(2)	DUI-commercial/school vehicles & incapable of safe driving (2nd off); 1st violation involving minor occupant	M-1 ³	8	30 days	
3802(f)(2)	DUI-commercial/school vehicles & incapable of safe driving (2nd off); 2nd violation involving minor occupant	M-1 ⁴	8	30 days + 1 to 6 mos	
3802(f)(2)	DUI-commercial/school vehicles & incapable of safe driving (prior conviction 75-3735) (2nd off)	F-3	9	30 days	
3802(f)(2)	DUI-commercial/school vehicles & incapable of safe driving (3rd off)	M-1	9	90 days	
3802(f)(2)	DUI-commercial/school vehicles & incapable of safe driving (3rd off); 1st violation involving minor occupant	M-1 ³	9	90 days	
3802(f)(2)	DUI-commercial/school vehicles & incapable of safe driving (3rd off); 2nd violation involving minor occupant	M-1 ⁴	9	90 days + 1 to 6 mos	
3802(f)(2)	DUI-commercial/school vehicles & incapable of safe driving (3rd off); 3rd/subsq violation involving minor occupant	F-3 ⁵	9	90 days + 6 mos to 2 years	
3802(f)(2)	DUI-commercial/school vehicles & incapable of safe driving (prior conviction 75-3735) (3rd off)	F-3	9	90 days	
3802(f)(2)	DUI-commercial/school vehicles & incapable of safe driving (4th/subsq off)	F-3	13	1 year	
3802(f)(2)	DUI-commercial/school vehicles & incapable of safe driving (4th/subsq off); 1st violation involving minor occupant	F-3 ³	13	1 year	
3802(f)(2)	DUI-commercial/school vehicles & incapable of safe driving (4th/subsq off); 2nd violation involving minor occupant	F-3 ⁴	13	1 year + 1 to 6 mos	
3802(f)(2)	DUI-commercial/school vehicles & incapable of safe driving (4th/subsq off); 3rd/subsq violation involving minor occupant	F-3 ⁵	13	1 year + 6 mos to 2 years	
3802(f)(2)	DUI-commercial/school vehicles & incapable of safe driving (prior conviction 75-3735) (4th/subsq off)	F-3	13	1 year	
3802(f)(3)	DUI-commercial/school vehicles & controlled substances (1st off)	M	7	48 hours	
3802(f)(3)	DUI-commercial/school vehicles & controlled substances (1st off); 1st violation involving minor occupant	M-1 ³	7	48 hours	
3802(f)(3)	DUI-commercial/school vehicles & controlled substances (prior conviction 75-3735) (1st off)	F-3	9	48 hours	
3802(f)(3)	DUI-commercial/school vehicles & controlled substances (2nd off)	M	8	30 days	
3802(f)(3)	DUI-commercial/school vehicles & controlled substances (2nd off); 1st violation involving minor occupant	M-1 ³	8	30 days	
3802(f)(3)	DUI-commercial/school vehicles & controlled substances (2nd off); 2nd violation involving minor occupant	M-1 ⁴	8	30 days + 1 to 6 mos	
3802(f)(3)	DUI-commercial/school vehicles & controlled substances (prior conviction 75-3735) (2nd off)	F-3	9	30 days	

<i>75 Pa.C.S. §</i>	<i>Description</i>	<i>Statutory Class</i>	<i>Offense Gravity Score (OGS)</i>	<i>Mand. Sentence Provision</i>	<i>Enhance</i>
3802(f)(3)	DUI-commercial/school vehicles & controlled substances (3rd off)	M-1	9	90 days	
3802(f)(3)	DUI-commercial/school vehicles & controlled substances (3rd off); 1st violation involving minor occupant	M-1 ³	9	90 days	
3802(f)(3)	DUI-commercial/school vehicles & controlled substances (3rd off); 2nd violation involving minor occupant	M-1 ⁴	9	90 days + 1 to 6 mos	
3802(f)(3)	DUI-commercial/school vehicles & controlled substances (3rd off); 3rd/subsq violation involving minor occupant	F-3 ⁵	9	90 days + 6 mos to 2 years	
3802(f)(3)	DUI-commercial/school vehicles & controlled substances (prior conviction 75-3735) (3rd off)	F-3	9	90 days	
3802(f)(3)	DUI-commercial/school vehicles & controlled substances (4th/subsq)	F-3	13	1 year	
3802(f)(3)	DUI-commercial/school vehicles & controlled substances (4th/subsq); 1st violation involving minor occupant	F-3 ³	13	1 year	
3802(f)(3)	DUI-commercial/school vehicles & controlled substances (4th/subsq); 2nd violation involving minor occupant	F-3 ⁴	13	1 year + 1 to 6 mos	
3802(f)(3)	DUI-commercial/school vehicles & controlled substances (4th/subsq); 3rd/subsq violation involving minor occupant	F-3 ⁵	13	1 year + 6 mos to 2 years	
3802(f)(3)	DUI-commercial/school vehicles & controlled substances (prior conviction 75-3735) (4th/subsq)	F-3	13	1 year	
3802(f)(4)	DUI-commercial/school vehicles & controlled substances & alcohol (1st off)	M	7	48 hours	
3802(f)(4)	DUI-commercial/school vehicles & controlled substances & alcohol (1st off); 1st violation involving minor occupant	M-1 ³	7	48 hours	
3802(f)(4)	DUI-commercial/school vehicles & controlled substances & alcohol (prior conviction 75-3735) (1st off)	F-3	9	48 hours	
3802(f)(4)	DUI-commercial/school vehicles & controlled substances & alcohol (2nd off)	M	8	30 days	
3802(f)(4)	DUI-commercial/school vehicles & controlled substances & alcohol (2nd off); 1st violation involving minor occupant	M-1 ³	8	30 days	
3802(f)(4)	DUI-commercial/school vehicles & controlled substances & alcohol (2nd off); 2nd violation involving minor occupant	M-1 ⁴	8	30 days + 1 to 6 mos	
3802(f)(4)	DUI-commercial/school vehicles & controlled substances & alcohol (prior conviction 75-3735) (2nd off)	F-3	9	30 days	
3802(f)(4)	DUI-commercial/school vehicles & controlled substances & alcohol (3rd off)	M-1	9	90 days	
3802(f)(4)	DUI-commercial/school vehicles & controlled substances & alcohol (3rd off); 1st violation involving minor occupant	M-1 ³	9	90 days	
3802(f)(4)	DUI-commercial/school vehicles & controlled substances & alcohol (3rd off); 2nd violation involving minor occupant	M-1 ⁴	9	90 days + 1 to 6 mos	
3802(f)(4)	DUI-commercial/school vehicles & controlled substances & alcohol (3rd off); 3rd/subsq violation involving minor occupant	F-3 ⁵	9	90 days + 6 mos to 2 years	
3802(f)(4)	DUI-commercial/school vehicles & controlled substances & alcohol (prior conviction 75-3735) (3rd off)	F-3	9	90 days	
3802(f)(4)	DUI-commercial/school vehicles & controlled substances & alcohol (4th/subsq off)	F-3	13	1 year	

75 Pa.C.S. §	Description	Statutory Class	Offense Gravity Score (OGS)	Mand. Sentence Provision	Enhance
3802(f)(4)	DUI-commercial/school vehicles & controlled substances & alcohol (4th/subsq off); 1st violation involving minor occupant	F-3 ³	13	1 year	
3802(f)(4)	DUI-commercial/school vehicles & controlled substances & alcohol (4th/subsq off); 2nd violation involving minor occupant	F-3 ⁴	13	1 year + 1 to 6 mos	
3802(f)(4)	DUI-commercial/school vehicles & controlled substances & alcohol (4th/subsq off); 3rd/subsq violation involving minor occupant	F-3 ⁵	13	1 year + 6 mos to 2 years	
3802(f)(4)	DUI-commercial/school vehicles & controlled substances & alcohol (prior conviction 75-3735) (4th/subsq off)	F-3	13	1 year	
3808(a)(1)	Illegally operating motor vehicle not equipped with ignition interlock-no BAC	M	2	NA	
3808(a)(2)	Illegally operating motor vehicle not equipped with ignition interlock-BAC >=.025)	M-3	9	90 days	
3808(b)	Tampering with ignition interlock system-using/providing breath sample	M	2	NA	
6308(d)	Investigation by police officers-records	M-3	2	NA	
6503.1	Habitual offenders	M-2	4	NA	
7111	Deal in titles/plates for stolen vehicles	M-1	7	NA	
7112	False report of theft or conversion of vehicle	M-3	2	NA	
7121	False application for title or registration	M-1	7	NA	
7122	Altered/forged/counterfeit title/plates	M-1	7	NA	
8306(b)	Willful violation-hazardous materials transportation regs (1st off)	M-3	2	NA	
8306(c)	Subsq willful violation-hazardous materials transportation regs (w/in 2 yrs)	M-2	4	NA	

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)

³ 75 § 3804(c.1)(1) Violation involving minor occupant. An individual who violates section 3803(b)(5)(relating to grading), in addition to any penalty imposed in this chapter shall be sentenced for a first offense to pay a fine of no less than \$1,000; and complete 100 hours of community service.

⁴ 75 § 3804(c.1)(2) An individual who violates section 3803(b)(5)(relating to grading), in addition to any penalty imposed shall be sentenced for a second offense to pay a fine of not less than \$2,500; and undergo imprisonment of not less than one month nor more than six months.

⁵ 75 § 3804(c.1)(3) An individual who violates section 3803(b)(5)(relating to grading), in addition to any penalty imposed shall be sentenced for a for a third or subsequent offense to undergo imprisonment of not less than 6 months nor more than 2 years

OMNIBUS ASSIGNMENTS

§ 3802 OGS Assignments (based on mandatory minimum sentence requirements)		§ 3802 OGS Override (when OGS of statutory class is higher)	
1 year and > *subsq off +1 (up to OGS 15)	13*	F-2	11
90 days to <1 year	9	F-3	9
30 days to <90 days	8	M-1	7
<30 days	7	M-2	4
6 mos prob	4	M	2

Table E—Prior Offense Groups (POG) and Prior Record Score (PRS) Categories

Prior Offense Group	Description of Prior Adjudications and Convictions	Number of Priors in Group	PRS 0	PRS 1	PRS 2	PRS 3	PRS 4 (REVOC)
	No priors	0	•				
POG1 (1-1-2)	Misdemeanors*	1		•			
		2		•			
		3+			•		
POG2 (2-2-3)	Felonies*	1			•		
		2			•		
		3+				•	
POG3 (2-3-3)	Serious Crimes**	1			•		
		2				•	
		3+				•	
POG4 (3-4-4)	Crimes of Violence***	1				•	
		2					•
		3+					•

* Unless designated Serious Crimes or Crimes of Violence

** F-1/F-2 offenses, unless Crimes of Violence; and F-3/M-1 offenses if 18 Pa.C.S. Article B, 18 Pa.C.S. Chap. 61, or 42 Pa.C.S. § 9799.14

*** 42 Pa.C.S. § 9714(g)

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Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

COMMISSION ON SENTENCING

PART VIII. CRIMINAL SENTENCING

[204 PA. CODE CHS. 307 AND 307a]

Proposed Resentencing Guidelines, Amendment 2; Proposed New Resentencing Guidelines for 8th Edition Sentencing Guidelines

The Pennsylvania Commission on Sentencing hereby publishes for public comment proposed Amendment 2 to the Resentencing Guidelines, 204 Pa. Code §§ 307.1—307.4, for use with the 7th Edition Sentencing Guidelines; and proposed new Resentencing Guidelines, 204 Pa. Code §§ 307a.1—307a.4, for use with the 8th Edition Sentencing Guidelines. The proposed Amendment 2 to the Resentencing Guidelines, relabeled as Resentencing Guidelines for 7th Edition Sentencing Guidelines, is set forth in Annex A. The proposed new Resentencing Guidelines for 8th Edition Sentencing Guidelines, is set forth in Annex B.

The Commission adopted Resentencing Guidelines, Amendment 1, on September 10, 2020, and published the same in the *Pennsylvania Bulletin* on September 26, 2020 (50 Pa.B. 5441). Resentencing Guidelines, Amendment 1 apply to sentences of probation imposed on or after January 1, 2021, and that are subsequently revoked for technical violations and conviction violations and resentenced. 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 but prior to January 1, 2021, and that are subsequently revoked and resentenced effective January 1, 2024.

On December 8, 2022, the Commission approved for the purpose of public comment a proposed amendment to provide for resentencing guidelines consistent with the corresponding edition of the sentencing guidelines. In the case of the proposal related to Chapter 307, the proposed amendment limits the application of the resentencing guidelines to probation sentences imposed under the 7th Edition Sentencing Guidelines and subsequently revoked. In the case of the proposal related to a new Chapter 307a, the proposed addition limits the application of the new resentencing guidelines to probation sentences imposed under the proposed 8th Edition Sentencing Guidelines and subsequently revoked.

In accordance with 42 Pa.C.S. § 2155 (relating to publication of guidelines for sentencing, resentencing and parole, risk assessment instrument and recommitment ranges following revocation), the Commission shall publish in the *Pennsylvania Bulletin* the proposed sentencing guidelines and hold public hearings not earlier than 30 days and not later than 60 days thereafter to afford an opportunity for the following persons and organizations to testify:

Pennsylvania District Attorneys Association
Chiefs of Police Associations
Fraternal Order of Police
Public Defenders Organization
Law School faculty members
Pennsylvania Parole Board
Pennsylvania Department of Corrections
Pennsylvania Bar Association

Pennsylvania Wardens Association
Pennsylvania Association on Probation, Parole and
Corrections
Pennsylvania Conference of State Trial Judges
Any other interested person or organization

The Commission has scheduled the following hearings to receive public comment on the proposed sentencing guidelines:

Justice Juanita Kidd Stout Center for Criminal Justice
Courtroom 507
1301 Filbert Street
Philadelphia, PA
Wednesday, February 8, 2023, at 1:30 p.m.

Northampton County Courthouse
Courtroom 1
669 Washington Street
Easton, PA
Friday, February 17, 2023, at 10:00 a.m.

Duquesne University Thomas R. Kline School of Law
208 Hanley Hall
900 Locust Street
Pittsburgh, PA
Wednesday, February 22, 2023, at 1:30 p.m.

Pennsylvania Department of Corrections (remote
hearing)
Registration open to the public; testimony limited to
incarcerated individuals
Zoom Webinar (registration for public access):
<https://bit.ly/DOCPubHrng2023Feb27>
Monday, February 27, 2023, at 10:00 a.m.

Erie County Courthouse
Courtroom D-214
140 West 6th Street
Erie, PA
Thursday, March 2, 2023, at 10:00 a.m.

K. Leroy Irvis Office Building (hybrid hearing)
Room 523
450 Commonwealth Avenue
Harrisburg, PA
Zoom Webinar (registration for public access):
<https://bit.ly/PCSPubHrng2023March8>
Wednesday, March 8, 2023, at 9:00 a.m.

Those wishing to attend or testify at Zoom Webinar hearings may register at the link provided. Those wishing to testify in person may register by contacting the Commission (Cathy Dittman, 814-863-5729, cwd2@psu.edu).

Persons or organizations wishing to testify in-person or via Zoom Webinar are asked to register and provide an electronic copy of any testimony at least five business days prior to the hearing. 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).

JUDGE TAMARA R. BERNSTEIN,
Chair

Commentary on Annex A

This Commentary provides selected highlights of the amendment to the Resentencing Guidelines, 204 Pa. Code §§ 307.1—307.4, for use with the 7th Edition Sentencing Guidelines. The proposed amendment to Chapter 307 limits the application of the resentencing guidelines to probation sentences imposed under the 7th Edition Sen-

tencing Guidelines and subsequently revoked. The proposed amendment to Chapter 307 is set forth in Annex A.

Provided below is a description of the revisions by section.

Section 307.1. Preliminary provisions

Revisions to this section include editorial changes to several definitions, by inserting common abbreviations and revising the references to the 7th Edition Sentencing Guidelines.

Section 307.2. Resentencing guidelines standards

Revisions to this section include an editorial change to the title of the section and revising the references to the 7th Edition Sentencing Guidelines and modifying the description of the effective dates of the amendments to the resentencing guidelines, linking the resentencing guidelines to the corresponding amendment of the 7th Edition Sentencing Guidelines.

Section 307.3. Procedure for determining resentencing guidelines

Revisions to this section include an editorial change to the title of the section.

Section 307.4. Resentencing guidelines recommendations

Revisions to this section include an editorial change to the title of the section and revising the reference to the 7th Edition Sentencing Guidelines.

Commentary on Annex B

This Commentary provides selected highlights of the addition of new Resentencing Guidelines, 204 Pa. Code §§ 307a.1—307a.4, for use with the 8th Edition Sentencing Guidelines. The proposed addition of Chapter 307a limits the application of the resentencing guidelines to probation sentences imposed under the 8th Edition Sentencing Guidelines and subsequently revoked. The proposed addition of Chapter 307a is set forth in Annex B.

Provided below is a description of the revisions by section.

Section 307a.1. Preliminary provisions

This section includes authorization and definitions related to the application of resentencing guidelines for use with the proposed 8th Edition Sentencing Guidelines.

Section 307a.2. Resentencing guidelines standards

This section includes standards for the application of resentencing guidelines to probation sentences imposed under the 8th Edition Sentencing Guidelines and subsequently revoked, as well as providing the effective date of the resentencing guidelines.

Section 307a.3. Procedure for determining resentencing guidelines

This section includes the procedures for determining the sentence recommendation for technical violations and conviction violations for probation sentences imposed under the 8th Edition Sentencing Guidelines and subsequently revoked.

Section 307a.4. Resentencing guidelines recommendations

This section provides general recommendations for consideration at resentencing.

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART VIII. CRIMINAL SENTENCING

**CHAPTER 307. RESENTENCING GUIDELINES
[, AMENDMENT 1] for 7th EDITION SENTENCING
GUIDELINES**

§ 307.1. Preliminary provisions.

(a) *Authorization.*

(1) As authorized by 42 Pa.C.S. § 2154.4 (relating to adoption of guidelines for resentencing), the Commission shall adopt guidelines that shall be considered by the court when resentencing an offender following the revocation of probation.

(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, **the following words and phrases shall have the meanings given to them in this section unless the context clearly indicates otherwise:**

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

“*Court.*” A court of record.

“*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.

“**OGS—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**] **Chapter 303**).

“**OTN—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.

[“**Prior record score (PRS)**.” A category in the sentencing guidelines reflecting the seriousness of the criminal history of an offender (see: 204 Pa. Code § 303.3 and § 303.15).]

“**PRS—Prior record score.**” A category in the sentencing guidelines reflecting the seriousness of the criminal history of an offender (see: 204 Pa. Code Chapter 303).

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

“*Resentence.*” A new sentence imposed following the revocation of probation. 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.

“Revocation.” The termination of an order of probation, 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 modification or revocation of order of probation; and court-imposed sanctions for violating probation).

“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:

1st generation. “Professional judgment,” with assessments based on training and experience;

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

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;

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.

“SID—State identification number [(SID)].” A unique number associated with each offender based on fingerprints. The Commission requires the inclusion of the SID as part of the record in the completed Guideline Sentence Form ([§ 303.1(f)] see: **204 Pa. Code Chapter 303**).

“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.

“Violation.” A finding by a court, following a hearing, that the offender failed to comply with terms and conditions of an order of probation.

“Conviction violation.” Commission of a new offense during the period of probation, resulting in a conviction for a misdemeanor or felony in a court of record, whether or not judgement of sentence has been imposed.

“Technical violation.” Failure to comply with the terms and conditions of an order of probation, other than by the commission of a new offense of which the offender is convicted in a court of record.

§ 307.2. Resentencing [**Guidelines**] **guidelines** standards.

(a) The court shall consider the Resentencing Guidelines in determining the appropriate resentence upon a revocation of probation.

(b) The Resentencing Guidelines shall apply to revocations of probation for all offenses committed on or after January 1, 2020. Amendments to the Resentencing Guidelines shall apply to revocations of probation for all

offenses committed on or after the effective date of the amendment. [**Amendment 1 is effective January 1, 2021.]**

(1) The initial Resentencing Guidelines, effective January 1, 2020, apply to all offenses committed on or after January 1, 2020 but prior to January 1, 2021, for which the 7th Edition, Amendment 5 Sentencing Guidelines applied.

(2) Resentencing Guidelines, Amendment 1, effective January 1, 2021, apply to all offenses committed on or after January 1, 2021 but prior to January 1, 2024, for which the 7th Edition, Amendment 6 Sentencing Guidelines applied.

(3) Resentencing Guidelines for the 8th Edition Sentencing Guidelines, effective January 1, 2024, as provided in Chapter 307a, apply to all offenses committed on or after January 1, 2024, for which the 8th Edition Sentencing Guidelines applied.

(c) Upon revocation of probation, 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 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 204 Pa. Code [§ 303.1(e)] **Chapter 303** (relating to resentencing guidelines).

(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 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**] **resentencing guidelines**.

(a) For a technical violation resulting in the revocation of an order of probation, 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, the resentencing guidelines shall begin with the initial sentencing guidelines, pursuant to 204 Pa. Code Chapter 303, 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 is related to both a technical violation and a conviction violation, the resentencing guidelines for the conviction violation apply.

§ 307.4. [**Guideline resentence**] **Resentencing guidelines** 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) Guidelines 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**] **Chapter 303** (relating to resentencing guidelines).

Annex B

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART VIII. CRIMINAL SENTENCING

CHAPTER 307a. RESENTENCING GUIDELINES for 8th EDITION SENTENCING GUIDELINES

Sec.

- 307a.1. Preliminary provisions.
 307a.2. Resentencing guidelines standards.
 307a.3. Procedure for determining the resentencing guidelines.
 307a.4. Resentencing guidelines recommendations.

§ **307a.1. Preliminary provisions.**

(a) *Authorization.*

(1) As authorized by 42 Pa.C.S. § 2154.4 (relating to adoption of guidelines for resentencing), the Commission shall adopt guidelines that shall be considered by the court when resentencing an offender following the revocation of probation.

(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, the following words and phrases shall have the meanings given to them in this section unless the context clearly indicates otherwise:

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

“Court.” A court of record.

“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.

“OGS—Offense gravity score.” An assignment in the sentencing guidelines reflecting the seriousness of a conviction offense (see: 204 Pa. Code Chapter 303a).

“OTN—Offense tracking number.” 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.

“PRS—Prior record score.” category in the sentencing guidelines reflecting the seriousness of the criminal history of an offender (see: 204 Pa. Code Chapter 303a).

“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).

“Resentence.” A new sentence imposed following the revocation of probation. 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.

“Revocation.” The termination of an order of probation, 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).

“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:

1st generation. “Professional judgment,” with assessments based on training and experience;

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

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;

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.

“SID—State identification number.” A unique number associated with each offender based on fingerprints. The Commission requires the inclusion of the SID as part of the record in the completed Guideline Sentence Form (see: 204 Pa. Code Chapter 303a).

“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.

“Violation.” A finding by a court, following a hearing, that the offender failed to comply with terms and conditions of an order of probation.

“Conviction violation.” Commission of a new offense during the period of probation, resulting in a conviction for a misdemeanor or felony in a court of record, whether or not judgement of sentence has been imposed.

“Technical violation.” Failure to comply with the terms and conditions of an order of probation, other than by the commission of a new offense of which the offender is convicted in a court of record.

§ **307a.2. Resentencing guidelines standards.**

(a) The court shall consider the Resentencing Guidelines in determining the appropriate resentence upon a revocation of probation.

(b) The Resentencing Guidelines shall apply to revocations of probation for all offenses committed on or after January 1, 2020. Amendments to the Resentencing Guidelines shall apply to revocations of probation for all offenses committed on or after the effective date of the amendment.

(1) The initial Resentencing Guidelines, effective January 1, 2020, as provided in Chapter 307, apply to all offenses committed on or after January 1, 2020 but prior to January 1, 2021, for which the 7th Edition, Amendment 5 Sentencing Guidelines applied.

(2) Resentencing Guidelines, Amendment 1, effective January 1, 2021, as provided in Chapter 307, apply to all offenses committed on or after January 1, 2021 but prior to January 1, 2024, for which the 7th Edition, Amendment 6 Sentencing Guidelines applied.

(3) Resentencing Guidelines for the 8th Edition Sentencing Guidelines, effective January 1, 2024, apply to all offenses committed on or after January 1, 2024, for which the 8th Edition Sentencing Guidelines applied.

(c) Upon revocation of probation, 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 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 resentencing, a statement of the reason or reasons for the revocation and for the sentence imposed. In every case where a court of record imposes a sentence outside the Resentencing 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 Commission in the manner described in 204 Pa. Code Chapter 303a (relating to sentencing guidelines).

(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 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.

§ 307a.3. Procedure for determining the resentencing guidelines.

(a) For a technical violation resulting in the revocation of an order of probation, the resentencing guidelines shall be the same as the initial sentencing guidelines, pursuant to 204 Pa. Code Chapter 303a (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, the resentencing guidelines shall begin with the initial sentencing guidelines, pursuant to 204 Pa. Code Chapter 303a, with the OGS assignment increased by one point. The highest OGS assignment permitted is OGS 30. Consideration shall be given to any service of the original sentence.

(c) If the revocation of an order of probation is related to both a technical violation and a conviction violation, the resentencing guidelines for the conviction violation apply.

§ 307a.4. Resentencing guidelines 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 sentence.

(b) Guidelines 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 Chapter 303a (relating to sentencing guidelines).

[Pa.B. Doc. No. 23-31. Filed for public inspection January 6, 2023, 9:00 a.m.]

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

COMMISSION ON SENTENCING PART VIII. CRIMINAL SENTENCING

[204 PA. CODE CH. 311]

Proposed State Parole Reccommitment Ranges

The Pennsylvania Commission on Sentencing hereby publishes for public comment proposed State Parole Reccommitment Ranges, 204 Pa. Code §§ 311.1—311.6. The proposed State Parole Reccommitment Ranges are set forth in Annex A. Previous versions of proposed recommitment ranges were published in the *Pennsylvania Bulletin* on July 11, 2020 (50 Pa.B. 3417) and April 23, 2022 (52 Pa.B. 2357) for public comment.

The Commission is authorized by 42 Pa.C.S. § 2154.6 (relating to adoption of recommitment ranges following revocation of parole by Board) to adopt recommitment ranges following revocation of parole to be considered by the Pennsylvania Parole Board when exercising its power to reparole, commit, and recommit for parole violations. Reccommitment ranges shall take into account the: 1) seriousness of the initial conviction offense, 2) the level of seriousness of the violation, and 3) rehabilitative needs of the defendant. The State Parole Reccommitment Ranges are advisory and do not remove the discretionary authority of the Pennsylvania Parole Board.

Following public hearings held on May 30, 2022 and June 1, 2022, the Commission voted on June 2, 2022 to defer action on adoption, providing staff with an opportunity to address the following issues: consideration of the seriousness of the initial conviction offense, as required by statute; consideration of the rehabilitative needs of the defendant, as required by statute; concerns that recommendations for technical violators included a minimum period of time, and did not address disciplinary infractions or recommitments to non-correctional facilities; and concerns that recommendations for convicted violators were linked to the current sentencing guidelines, which would be inconsistent with proposals the Commission was preparing for new sentencing guidelines. Staff reviewed revised proposals with the Parole Board and drafted revised recommitment ranges which included tables for clearer presentation of recommendations.

On December 8, 2022, the Commission approved for the purpose of public comment the proposed State Parole Reccommitment Ranges applicable to all parole violation hearings initiated on or after January 1, 2024.

In accordance with 42 Pa.C.S. § 2155 (relating to publication of guidelines for sentencing, resentencing and

parole, risk assessment instrument and recommitment ranges following revocation), the Commission shall publish in the *Pennsylvania Bulletin* the proposed sentencing guidelines and hold public hearings not earlier than 30 days and not later than 60 days thereafter to afford an opportunity for the following persons and organizations to testify:

Pennsylvania District Attorneys Association
 Chiefs of Police Associations
 Fraternal Order of Police
 Public Defenders Organization
 Law School faculty members
 Pennsylvania Parole Board
 Pennsylvania Department of Corrections
 Pennsylvania Bar Association
 Pennsylvania Wardens Association
 Pennsylvania Association on Probation, Parole and
 Corrections
 Pennsylvania Conference of State Trial Judges
 Any other interested person or organization

The Commission has scheduled the following hearings to receive public comment on the proposed sentencing guidelines:

Justice Juanita Kidd Stout Center for Criminal Justice
 Courtroom 507
 1301 Filbert Street
 Philadelphia, PA
 Wednesday, February 8, 2023, at 1:30 p.m.

Northampton County Courthouse
 Courtroom 1
 669 Washington Street
 Easton, PA
 Friday, February 17, 2023, at 10:00 a.m.

Duquesne University Thomas R. Kline School of Law
 208 Hanley Hall
 900 Locust Street
 Pittsburgh, PA
 Wednesday, February 22, 2023, at 1:30 p.m.

Pennsylvania Department of Corrections (remote hearing)
 Registration open to the public; testimony limited to incarcerated individuals
 Zoom Webinar (registration for public access):
<https://bit.ly/DOCPubHrng2023Feb27>
 Monday, February 27, 2023, at 10:00 a.m.

Erie County Courthouse
 Courtroom D-214
 140 West 6th Street
 Erie, PA
 Thursday, March 2, 2023, at 10:00 a.m.

K. Leroy Irvis Office Building (hybrid hearing)
 Room 523
 450 Commonwealth Avenue
 Harrisburg, PA
 Zoom Webinar (registration for public access):
<https://bit.ly/PCSPubHrng2023March8>
 Wednesday, March 8, 2023, at 9:00 a.m.

Those wishing to attend or testify at Zoom Webinar hearings may register at the link provided. Those wishing to testify in person may register by contacting the Commission (Cathy Dittman, (814) 863-5729 or cwd2@psu.edu).

Persons or organizations wishing to testify in-person or via Zoom Webinar are asked to register and provide an electronic copy of any testimony at least five business

days prior to the hearing. 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).

JUDGE TAMARA R. BERNSTEIN,
Chair

Commentary on Annex A

As provided in statute, 61 Pa.C.S. § 6102 (relating to operation of parole system generally), the parole system shall operate consistently with the following provisions:

(1) The parole system provides several benefits to the criminal justice system, including the provision of adequate supervision of the offender while protecting the public, the opportunity for the offender to become a useful member of society and the diversion of appropriate offenders from prison.

(2) In providing these benefits to the criminal justice system, the Board and any other paroling entity shall first and foremost seek to protect the safety of the public.

(3) In addition to this goal, the Board and any other paroling entity shall address input by crime victims, assist in the fair administration of justice by ensuring the custody, control and treatment of paroled offenders, shall consider any applicable guidelines established by the commission and shall ensure that parole proceedings, release and recommitment are administered in an efficient and timely manner.

Regarding recommitment following violation of terms, 61 Pa.C.S. § 6137(h) (relating to parole power), authorizes:

(1) The Board may, during the period for which an inmate shall have been sentenced, recommit the inmate, if paroled, for violation of the terms and conditions of his parole and from time to time to reparole and recommit in the same manner and with the same procedure as in the case of an original parole or recommitment if, in the judgment of the Board:

(i) There is a reasonable probability that the inmate will be benefited by paroling the inmate again.

(ii) It does not appear that the interests of the Commonwealth will be injured by paroling the inmate again.

(2) In exercising these powers, the board shall consider any applicable recommitment ranges established by the commission under 42 Pa.C.S. § 2154.6.

(i) Cases involving deviations from guidelines. In each case in which the board deviates from the recommitment ranges established under 42 Pa.C.S. § 2154.6, the board shall provide a contemporaneous written statement of the reason for the deviation from the recommitment ranges to the commission, as established under 42 Pa.C.S. § 2153(a)(14) (relating to powers and duties of commission).

42 Pa.C.S. § 2154.6 requires the Commission to adopt recommitment ranges for violations of parole that consider all of the following:

- (1) the seriousness of the initial conviction offense;
- (2) the level of seriousness of the violation; and
- (3) the rehabilitative needs of the defendant.

A recommitment range is a recommendation for a period of time for which a parole violator may be recommitment to serve an additional part of the term the parole violator would have been compelled to serve had

the parole violator not been paroled. At the end of the recommitment period, the parole violator may be reviewed for parole or, without further review, shall be reparaoled.

61 Pa.C.S. § 6137 requires the Board to consider recommitment ranges established by the Commission, and to report to the Commission the recommitment decision and provide a contemporaneous written statement of reasons for any deviation from the recommitment ranges. In addition to consideration of the guidelines, the Board may develop and use internal decisional instruments.

The recommitment ranges established by the Commission are advisory recommendations, which must be considered by the Board but for which the Board may exercise discretion in deviating from the recommendations. The recommitment ranges do not remove the discretionary authority of the Pennsylvania Parole Board, and do not prevent the Board from developing policies and procedures related to recommitment decisions.

The proposed recommitment ranges standardize current practices, improve the consistency and transparency of decisions, and enhance data collection and analysis. By linking the recommitment ranges to both the recently enacted parole guidelines and the proposed 8th Edition Sentencing Guidelines, the Commission is promoting coordination of information and decision-making.

This Commentary provides selected highlights of the proposed State Parole Reccommitment Ranges. The proposed State Parole Reccommitment Ranges are set forth in Annex A.

Section 311.1. Preliminary provisions.

This section addresses the statutory authorization to adopt recommitment ranges and includes a list of definitions of words and phrases used in the recommitment ranges.

Section 311.2. Parole violator recommitment range standards.

This section addresses the requirements related to the consideration of the recommitment ranges and the reporting of decisions to the Commission.

Section 311.3. Procedure for determining parole violator recommitment range.

This section defines the two types of violators: technical parole violator and convicted parole violator; and describes the general procedures for determining the applicable range and consideration of aggravating or mitigating circumstances.

Section 311.4. Technical parole violator recommitment ranges.

This section includes general provisions for consideration of ranges for technical parole violators, including the description of specified violation conditions for which individuals are recommitted to correctional facilities, and those otherwise recommitted to non-correctional facilities; and the specific provisions for determining the recommitment ranges for technical parole violators.

Section 311.5. Convicted parole violator recommitment ranges.

This section includes general provisions for consideration of ranges for convicted parole violators, including the specific provisions related to the recommended range

determined in part on the seriousness of the new conviction offense based on the corresponding level of the proposed 8th Edition Sentencing Guidelines.

Section 311.6. Parole violator tables.

This section includes two tables that display recommitment ranges. Table 1 addresses technical parole violator recommitment ranges; Table 2 addresses convicted parole violator recommitment ranges.

Annex A

**TITLE 204. JUDICIAL SYSTEM
GENERAL PROVISIONS**

PART VIII. CRIMINAL SENTENCING

**CHAPTER 311. STATE PAROLE
RECOMMITMENT RANGES**

Sec.	
311.1.	Preliminary provisions.
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§ 311.1. Preliminary provisions.

(a) *Authorization.*

(1) As authorized by 42 Pa.C.S. § 2154.6 (relating to recommitment ranges following revocation of parole by the Board), the Commission shall adopt recommitment ranges that shall be considered by the Board when exercising its power to reparole, commit and recommit for violations of parole any person sentenced by a court in this Commonwealth to imprisonment in any correctional institution.

(i) The recommitment ranges shall take into account:

- (A) the seriousness of the initial conviction offense;
- (B) the level of seriousness of the violation; and
- (C) the rehabilitative needs of the defendant.

(ii) At the end of the recommitment period, the parole violator shall be reviewed for parole or, without further review, shall be reparaoled.

(b) *Definitions.* For purposes of this chapter, the following words and phrases shall have the meanings given to them in this section unless the context clearly indicates otherwise:

“Aggregated sentence.” Two or more consecutive sentences that have been combined whereby the aggregate minimum term is the sum of the consecutive minimum terms and the maximum term is the sum of the consecutive maximum terms.

“At liberty on parole.” The period of conditional liberty and freedom from confinement on a particular sentence that a parolee enjoys during which time the parolee is in compliance with the terms and conditions of parole.

“Automatic reparole.” An immediate release from a state correctional institution, contracted county jail, community corrections center, or community corrections facility based on the date stated on the board action. Disciplinary infractions result in removal of automatic parole.

“Board.” Pennsylvania Parole Board (PB). An independent executive branch agency comprised of nine members appointed by the Governor and confirmed by the Senate for six-year terms. The Board has the responsibility to parole, recommit for violations of parole, and to discharge from parole offenders sentenced to two years or more.

“Commission.” Pennsylvania Commission on Sentencing. A criminal justice agency of the General Assembly authorized to adopt guidelines for parole and recommitment ranges following revocation of parole to be considered by the Board.

“Concurrent sentence.” Sentences imposed to be served simultaneously or at the same time.

“Consecutive sentence.” Sentences imposed to be served one after another. State law requires that consecutive sentences be aggregated into one sentence structure with one minimum and one maximum sentence.

“Constructive parole.” A grant of parole when an inmate is released from one sentence but remains confined while serving another sentence, rather than being released from confinement.

“Convicted parole violator.” Parolee under the jurisdiction of the Board who, during the period of parole or while delinquent on parole, commits a crime punishable by imprisonment, for which the parolee is convicted or found guilty by a judge or jury or to which the parolee pleads guilty or nolo contendere, as provided in 61 Pa.C.S. § 6138(a)(1) and (1.1) (relating to convicted violators).

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

“Department.” Pennsylvania Department of Corrections (DOC). An executive branch agency responsible for operating the state prison system and providing parole supervision of reentrants. The following facilities are provided in statute for recommitment:

PVC—parole violator centers. Secure facilities operated or contracted by the Department to address violation behavior, which may be located at correctional facilities or group facilities. A CCC or CCF may be used for technical parole violators to provide immediate treatment and programming to address violation behavior using a Community Based Life Skills (CBLS) program. Participation is for a maximum period of six months with automatic reparole. An SCI or CCJ may be used for technical parole violators who are not eligible to be placed in a CCC or CCF to receive the treatment and programming otherwise provided in a CCC or CCF.

Correctional facilities. Secure facilities operated or contracted by the Department, including SCI and CCJ.

CCJ—contracted county jail. Secure county facilities contracted by the Department for confinement of certain offenders.

SCI—State correctional institution. Secure facilities maintained by the Department for confinement of offenders, classified into four security levels: minimum, medium, close, and maximum; and including special facilities for diagnostics and classification, substance abuse treatment, psychiatric care and treatment, capital case inmates, and a motivational boot camp.

Group facilities. Residential facilities operated or contracted by the Department, including CCC and CCF.

CCC—community corrections center. A residential facility operated and staffed by the Department of Corrections, Bureau of Community Corrections, to provide supportive, transitional, and accountable reentry by positively influencing individual behavior through professional interactions.

CCF—community corrections facility or community contracted facility. A residential facility contracted by the Department and operated by a private or public entity to provide supportive, transitional, and accountable reentry by positively influencing individual behavior through professional interactions.

“Detainer.” A written order of the Department to hold a person in custody in a correctional institution pending further legal action.

“Direct violation.” Commission of a new offense during the period of parole resulting in a conviction, as provided in 61 Pa.C.S. § 6138(a)(1) and (1.1), whether or not judgement of sentence has been imposed. Also see conviction violation.

“Hearing examiner.” An agent of the Board who is empowered to sit on parole revocation panels, conduct parole hearings in lieu of panels, and conduct parole interviews on behalf of the Board.

“Hearings.” Include the following:

Cox hearing. An evidentiary hearing to determine if a parolee’s stay at a CCC/CCF is the equivalence of incarceration.

Detention hearing. A first-level, probable cause hearing to determine whether there is probable cause that a parolee should be detained or returned pending disposition of a new criminal charge.

Preliminary hearing. A first-level, probable cause hearing to determine whether there is probable cause to believe that a parolee has committed a violation of a condition of parole.

Rescission hearing. A hearing to decide whether there is good cause for rescinding parole.

Revocation hearing. A second-level, fact-finding hearing held by the Board to determine whether a parolee violated the terms and conditions of parole and, if so, should be recommitted as a convicted parole violator.

Violation hearing. A second-level, fact-finding hearing held by the Board to determine whether a parolee violated the terms and conditions of parole and, if so, should be recommitted as a technical violator.

“Indirect violation.” A violation of parole by a breach of the terms and conditions of parole other than the commission of a new criminal offense of which the offender is found guilty or pleads guilty or nolo contendere. Also see technical violation.

“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.

“NV—non-violent offender.” An offender who is not currently nor was previously convicted of a violent offense, used to determine the parole guidelines and the seriousness of the initial conviction offense for a conviction violation. Also see 204 Pa. Code Chapter 309 (relating to parole guidelines).

“OGS—offense gravity score.” An assignment in the sentencing guidelines reflecting the seriousness of a conviction offense, which is used to determine the sentencing level of a new conviction violation offense. Also see 204 Pa. Code Chapter 303a (relating to sentencing guidelines).

“Order of service of sentence.” As provided in 61 Pa.C.S. § 6138(a)(5) and (5.1), if a new sentence of confinement is imposed on a convicted parole violator, the service of the balance of the original sentence shall precede the com-

mencement of the service of the new sentence imposed, if the person was paroled from an SCI and is sentenced to an SCI or by a foreign jurisdiction, or the person was paroled from a county jail and is sentenced to the same county jail or by a foreign jurisdiction. Otherwise, the service of the new confinement sentence shall precede the service of the recommitment on the original sentence.

“Original sentence.” The sentence resulting from the original conviction. It is from this sentence the Board paroles the inmate and the parolee serves the remaining time on the street unless recommitted by the Board.

“Panel.” A two-member unit of the Board comprised of either two Board Members or one Board Member and one Hearing Examiner, empowered to make parole release decisions and recommitment decisions.

“Parole.” The conditional release from confinement of an inmate from a correctional facility, to serve the remainder of the unserved balance of the maximum term in the community under supervision, as long as the parolee satisfactorily complies with all terms and conditions provided in the parole order. There is no right to parole in Pennsylvania.

“Parole decision.” A decision by the Board to grant parole or refuse to grant parole.

“Parole violation.” A finding following a hearing that the offender failed to comply with terms and conditions of parole.

Conviction violation. Commission of a new offense during the period of parole resulting in a conviction, as provided in 61 Pa.C.S. § 6138(a)(1) and (1.1), whether or not judgement of sentence has been imposed. Violations including both technical and conviction violation are considered conviction violations. Also see direct violation.

Technical violation. Failure to comply with the terms and conditions of parole, other than by the commission of a new offense of which the offender is convicted. Also see technical parole violation. Also see indirect violation.

“Parole violator.” An offender under parole supervision in the community who commits a technical violation or conviction violation. Also see convicted parole violator and technical parole violator.

“Recommitment range.” A recommended range of time for which a parole violator may be recommitted, to serve all or part of the unserved balance of the sentence for which the offender was paroled, based on the seriousness of the initial conviction, the seriousness of the violation, and the rehabilitative needs of the offender.

“Rescission.” The revocation of a grant of parole based upon an inmate’s conduct occurring prior to release on parole which conduct is unknown to the Board at the time parole was granted.

“Revocation.” A decision to revoke parole and to recommit an offender after a revocation or violation hearing.

“SGS Web—sentencing guidelines software web application.” A JNET-based application operated by the Commission which includes the modules for sentencing, resentencing, and parole 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.

“Sentencing level.” A category of offense gravity scores, determined by the sentencing guidelines, which is used to

determine the recommitment ranges of a new conviction violation offense. Also see 204 Pa. Code Chapter 303a (relating to sentencing guidelines).

“Technical parole violator.” Parolee under the jurisdiction of the Board who violates the terms and conditions of his parole, other than by the commission of a new crime of which the parolee is convicted or found guilty by a judge or jury or to which the parolee pleads guilty or nolo contendere, as provided in 61 Pa.C.S. § 6138(c).

“Unexpired term.” The period of time the person has remaining on the unserved portion of his or her original sentence.

“V—violent offender.” A designation used in the parole guidelines, based on a current or previous conviction for an offense identified in 42 Pa.C.S. §§ 9714(g), 9718.1, and 9799.14, or for an offense otherwise designated by the Board as a violent offense. Also see 204 Pa. Code Chapter 309.

§ 311.2. Parole violator recommitment range standards.

(a) The Board shall consider recommitment ranges in determining the recommitment time recommended for technical and convicted parole violators.

(b) In every case in which the Board deviates from the recommitment ranges, the Board shall provide a contemporaneous written statement of the reasons for the deviation from the recommitment ranges to the Commission as established under 42 Pa.C.S. § 2153(a)(14) (relating to powers and duties).

(c) The recommitment ranges apply to revocations of parole when recommitment is ordered by the Board.

(d) The recommitment ranges shall apply to all state parole violation hearings initiated on or after January 1, 2024. Amendments to the recommitment ranges shall apply to all state parole violation hearings initiated on or after the effective date of the amendment to the recommitment ranges.

(e) Unless otherwise provided by the Commission, the SGS Web application shall be used by the Board to do the following:

(1) Provide required information on the violation used to determine the recommended recommitment range.

(2) Provide details on the recommitment order, including the type of facility (i.e., correctional facility, group facility, and/or parole violator center) and the duration of the recommitment.

(3) Report the date of recommitment and date of eligibility for re-parole or automatic release.

(4) Attach a copy of the completed State Parole Guidelines Form used to report the grant of parole.

§ 311.3. Procedure for determining parole violator recommitment range.

(a) For each parole recommitment of an offender under the jurisdiction of the Board, the procedure for determining the recommended recommitment range is as follows:

(1) Determine if the offender is a technical parole violator or a convicted parole violator:

(i) A technical parole violator is a parolee under the jurisdiction of the Board who violates the terms and conditions of parole, other than by the commission of a new crime of which the parolee is convicted or found

guilty by a judge or jury or to which the parolee pleads guilty or nolo contendere, as provided in 61 Pa.C.S. § 6138(c) (relating violation of terms of parole).

(ii) A convicted parole violator is a parolee under the jurisdiction of the Board who, during the period of parole or while delinquent on parole, commits a crime punishable by imprisonment, for which the parolee is convicted or found guilty by a judge or jury or to which the parolee pleads guilty or nolo contendere, as provided in 61 Pa.C.S. § 6138(a).

(2) Consider the recommitment ranges as follows:

(i) For a technical parole violator, consider the recommendations provided at § 311.6 (relating to parole violator tables) in TABLE 1, based on the following:

(A) Determine if the offender is a violent offender, as provided in the parole guidelines, based on a current or previous conviction for an offense identified in 42 Pa.C.S. §§ 9714(g), 9718.1, and 9799.14, or for an offense otherwise designated by the Board as a violent offense.

(B) Determine if the offender is being recommitted to a correctional facility, as provided in 61 Pa.C.S. § 6138(d), or to a group facility or parole violator center, as provided in 61 Pa.C.S. § 6138(e), and the number of recommitments to a correctional facility.

(C) Determine if any disciplinary infractions provided in 61 Pa.C.S. § 6138(d)(5) or (e)(3) apply to the offender.

(D) Identify the recommended recommitment range.

(ii) For a convicted parole violator, consider the recommendations provided at § 311.6 in TABLE 2, based on the following:

(A) Determine if the offender is a violent offender, as provided in the parole guidelines based on a current or previous conviction for an offense identified in 42 Pa.C.S. §§ 9714(g), 9718.1, and 9799.14, or for an offense otherwise designated by the Board as a violent offense.

(B) Determine the offense gravity score and the corresponding sentencing level of the most serious new conviction offense.

(C) Identify the recommended recommitment range.

(b) Consider any aggravating and mitigating circumstances, including progress on parole prior to revocation and the rehabilitative needs of the offender, when determining the duration of recommitment and prescribed treatment and programming.

(c) Determine the recommitment period, and report the decision, reasons for deviation, and other required information to the Commission, as provided in § 311.2 (relating to parole violator recommitment range standards).

§ 311.4. Technical parole violator recommitment ranges.

(a) *General provisions.*

(1) Recommitment ranges shall be considered by the Board when a parolee violates a general or specific condition of parole and the Board orders recommitment as a technical parole violator after the necessary violation hearing(s).

(2) The Board shall determine if any of the following specified violation conditions, as provided in 61 Pa.C.S. § 6138(c)(1.3) (relating to violation of terms of parole), are present:

(i) Violation was sexual in nature.

(ii) Violation involved assaultive behavior or included a credible threat to cause bodily injury to another.

(iii) Violation involved possession or control of a weapon.

(iv) Parolee absconded and cannot be safely diverted to a community corrections center, community corrections facility, or any secured facility operated or contracted by the Department.

(v) An identifiable threat exists to public safety and parolee cannot be safely diverted to a community corrections center, community corrections facility, or any secured facility operated or contracted by the Department.

(vi) The violation involved an intentional and unexcused failure to adhere to recommended programming or conditions on more than three occasions, and the parolee cannot be safely diverted.

(3) As provided in 61 Pa.C.S. § 6138(c)(1), unless the Board determines a specified violation condition is present, a technical parole violator shall be committed to a group facility or secured facility, and the following shall apply:

(i) The Board shall consider the applicable recommitment ranges described in subsection (b).

(ii) Except as provided in subparagraph (iii), a technical parole violator shall be recommitted, as provided in 61 Pa.C.S. § 6138(e), for a maximum period of six months, after which the offender shall automatically be reparaoled without further action by the Board.

(iii) The maximum period of recommitment and automatic reparaole shall not be applicable to an offender if any of the following apply:

(A) Commits a disciplinary infraction involving assaultive behavior, sexual assault, a weapon, or a controlled substance.

(B) Spends more than 61 days in segregated housing due to one or more disciplinary infractions.

(C) Refuses programming or a work assignment.

(D) Is not in compliance with all legal requirements applicable to the offender, including but not limited to, maintaining registration in any applicable sex offender registry.

(4) As provided in 61 Pa.C.S. § 6138(c)(1.3), when the Board determines that one or more specified violation conditions are present, a technical parole violator shall be committed to a correctional facility, and the following shall apply:

(i) The Board shall consider the applicable recommitment ranges described in subsection (b).

(ii) Except as provided in subparagraph (iii), a technical parole violator shall be recommitted, as provided in 61 Pa.C.S. § 6138(d), for a maximum period as described below, after which the offender shall automatically be reparaoled without further action by the Board:

(A) For the first recommitment, a technical parole violator shall serve not more than six months.

(B) For the second recommitment for the same sentence, a technical parole violator shall serve not more than nine months.

(C) For the third and subsequent recommitment for the same sentence, a technical parole violator shall serve not more than one year.

(iii) The maximum period of recommitment and automatic reparole shall not be applicable to an offender if any of the following apply:

(A) Committed a disciplinary infraction involving assaultive behavior, sexual assault, a weapon, or a controlled substance.

(B) Spent more than 90 days in segregated housing due to one or more disciplinary infractions.

(C) Refused programming or a work assignment.

(b) *Specific provisions.*

(1) Technical violator recommitment ranges are to be considered by the Board in the exercise of its discretion, while accounting for the following factors:

(i) The seriousness of the initial conviction offense. Seriousness is based on the determination under the state parole guidelines whether the offender is designated as a violent offender or non-violent offender.

(ii) The type of facility to which the offender is being recommitted. Type of facility includes a correctional facility, as provided in 61 Pa.C.S. § 6138(d), and a group facility or parole violator center, as provided in 61 Pa.C.S. § 6138(e).

(iii) The number of recommitments for the same sentence. When recommitted to a correctional facility, the maximum period of a recommitment is determined by the number of recommitments, as provided in 61 Pa.C.S. § 6138(d)(3). For recommitment to a group facility or parole violator center, the maximum period is six months, notwithstanding the number of recommitments for the same sentence, as provided in 61 Pa.C.S. § 6138(e)(2).

(iv) Any disciplinary infractions committed by the offender. The time limits and automatic reparole provided in statute are not applicable in the case of an offender who commits certain disciplinary infractions, and separate recommitment recommendations are provided. The types of disciplinary infractions in a correctional facility are provided in 61 Pa.C.S. § 6138(d)(5); the types of disciplinary infractions in a group facility or parole violator center are provided in 61 Pa.C.S. § 6138(e)(3).

(v) The time required to receive treatment and programming to meet the rehabilitative needs of the offender. The corrective programming required to address the needs of the offender associated with the recommitment, which begins after a hearing or waiver of a hearing, may require a recommitment period shorter or longer than the recommended recommitment range.

(2) The technical parole violator recommitment ranges, as described below, are provided at § 311.6 in TABLE 1.

(i) When applied to offenders recommitted to group facilities:

(A) The recommended recommitment range for a non-violent offender placed in a group facility or parole violator center, except for those with disciplinary infractions, is a maximum of six months. Reparole is automatic without further action by the Board.

(B) The recommended recommitment range for a violent offender placed in a group facility or parole violator center, except for those with disciplinary infractions, is a maximum of nine months. Reparole is automatic without further action by the Board.

(C) The recommended recommitment range for an offender placed in a group facility or parole violator center with disciplinary infractions is 12 months. Reparole requires action by the Board.

(ii) When applied to offenders recommitted to correctional facilities:

(A) The recommended recommitment range for a non-violent offender placed in a correctional facility, except for those with disciplinary infractions, for a first violation is a maximum of six months; for a second violation a maximum of nine months; and for a third or subsequent violation is a maximum of 12 months. Reparole is automatic without further action by the Board.

(B) The recommended recommitment range for a violent offender placed in a correctional facility, except for those with disciplinary infractions, for a first violation is a range of three to six months; for a second violation a range of six to nine months; and for a third or subsequent violation is a range of nine to 12 months. Reparole is automatic without further action by the Board.

(C) The recommended recommitment range for an offender with disciplinary infractions placed in a correctional facility is a maximum of 12 months for a first violation; a maximum of 18 months for a second violation; and a maximum of 24 months for a third or subsequent violation. Reparole requires action by the Board.

(3) Determine the recommitment period and provide reasons if a deviation from the recommitment ranges.

§ 311.5. Convicted parole violator recommitment ranges.

(a) *General provisions.*

(1) Recommitment ranges shall be considered by the Board when a parolee is convicted of a new offense committed while on parole and the Board orders recommitment as a convicted parole violator after the necessary violation hearing(s).

(2) As provided in 61 Pa.C.S. § 6138(a) (relating to violation of terms of parole), the Board may, at its discretion, revoke the parole of an offender convicted of a crime committed while on parole, and including certain enumerated summary offenses.

(i) If the offender's parole is revoked, the offender shall be recommitted to a correctional facility to serve the remainder of the term which the offender would have been compelled to serve had the parole not been granted, and the Board shall determine whether any credit shall be granted for time at liberty on parole.

(ii) The Board may, in its discretion, reparole a convicted parole violator whenever the best interests of the offender justify or require the offender's release on parole and it does not appear that the interests of the Commonwealth will be injured.

(iii) The period of time for which the offender is required to serve shall be computed by the Board.

(3) The Board shall consider the applicable recommitment ranges described in subsection (b).

(b) *Specific provisions.*

(1) Convicted violator recommitment ranges are to be considered by the Board in the exercise of its discretion, while accounting for the following factors:

(i) The seriousness of the initial conviction offense. Seriousness is based on the determination under the state parole guidelines whether the offender is designated as a violent offender or non-violent offender.

(ii) The level of seriousness of the new conviction offense. The seriousness of the new conviction offense is determined by identifying the highest offense gravity

score assignment under the Pennsylvania sentencing guidelines of all new conviction offenses, and then determining the corresponding sentencing level. For out-of-state convictions, the current equivalent Pennsylvania offense under the sentencing guidelines applies. Summary offenses are assigned the lowest offense gravity score (OGS 1) and the corresponding sentencing level (Level A). Murder of the first degree and murder of the second degree are assigned the highest offense gravity scores (Murder 1 A/B/C, Murder 2 A/B/C) and the corresponding sentencing level (Level H).

(iii) The time required to receive treatment and programming to meet the rehabilitative needs of the offender. The corrective programming required to address the needs of the offender associated with the recommitment, which begins after a hearing or waiver of a hearing, may require a recommitment period shorter or longer than the recommended recommitment range.

(2) The convicted parole violator recommitment ranges, as described below, are provided at § 311.6 (relating to parole violator tables) in TABLE 2.

(i) The recommended recommitment range for a non-violent offender placed in a correctional facility shall be:

(A) When the most serious new conviction offense is Level A (OGS 1—OGS 3), a range of one to six months.

(B) When the most serious new conviction offense is Level B (OGS 4—OGS 7), a range of six to 12 months.

(C) When the most serious new conviction offense is Level C (OGS 8—OGS 12), a range of 12 to 18 months.

(D) When the most serious new conviction offense is Level D (OGS 13—OGS 16), a range of 18 to 30 months.

(E) When the most serious new conviction offense is Level E (OGS 17—OGS 26), a range of 24 to 36 months.

(F) When the most serious new conviction offense is Level F (OGS 27—OGS 30), a range of 48 months to the unserved balance of the sentence from which the offender was paroled.

(G) When the most serious new conviction offense is Level G (OGS G-1-OGS G-2), a range of 48 months to the unserved balance of the sentence from which the offender was paroled.

(H) When the most serious new conviction offense is Level H (OGS H-1—OGS H-6), the range is limited to the unserved balance of the sentence from which the offender was paroled.

(ii) The recommended recommitment range for a violent offender placed in a correctional facility shall be:

(A) When the most serious new conviction offense is Level A (OGS 1—OGS 3), a range of one to six months.

(B) When the most serious new conviction offense is Level B (OGS 4—OGS 7), a range of six to 12 months.

(C) When the most serious new conviction offense is Level C (OGS 8—OGS 12), a range of 12 to 18 months.

(D) When the most serious new conviction offense is Level D (OGS 13—OGS 16), a range of 24 to 36 months.

(E) When the most serious new conviction offense is Level E (OGS 17—OGS 26), a range of 36 to 48 months.

(F) When the most serious new conviction offense is Level F (OGS 27—OGS 30), a range of 60 months to the unserved balance of the sentence from which the offender was paroled.

(G) When the most serious new conviction offense is Level G (OGS G-1-OGS G-2), a range of 60 months to the unserved balance of the sentence from which the offender was paroled.

(H) When the most serious new conviction offense is Level H (OGS H-1—OGS H-6), the range is limited to the unserved balance of the sentence from which the offender was paroled.

(iii) When the Board determines that one or more aggravating circumstances are present, the Board may consider a recommitment period:

(A) For Level A (OGS 1—OGS 3), up to three months longer than the upper limit of the recommitment range.

(B) For Level B (OGS 4—OGS 7), up to six months longer than the upper limit of the recommitment range.

(C) For Level C (OGS 8—OGS 12), up to six months longer than the upper limit of the recommitment range.

(D) For Level D (OGS 13—OGS 16), up to 12 months longer than the upper limit of the recommitment range.

(E) For Level E (OGS 17—OGS 26), up to 12 months longer than the upper limit of the recommitment range.

(iv) When the Board determines that one or more mitigating circumstances are present, the Board may consider a recommitment period:

(A) For Level B (OGS 4—OGS 7), up to six months shorter than the lower limit of the recommitment range.

(B) For Level C (OGS 8—OGS 12), up to six months shorter than the lower limit of the recommitment range.

(C) For Level D (OGS 13—OGS 16), up to 12 months shorter than the lower limit of the recommitment range.

(D) For Level E (OGS 17—OGS 26), up to 12 months shorter than the lower limit of the recommitment range.

(E) For Level F (OGS 27—OGS 30), up to 24 months shorter than the lower limit of the recommitment range.

(F) For Level G (OGS G-1-OGS G-2), up to 24 months shorter than the lower limit of the recommitment range.

(3) Determine the recommitment period and provide reasons if an aggravated or mitigated duration or deviation from the recommitment ranges.

§ 311.6. Parole violator tables.

TABLE 1—Technical parole violator recommitment ranges

<i>Correctional Facility Recommitments</i>	<i>Non-violent (NV) recommitment range</i>	<i>Violent (V) recommitment range</i>	<i>Disciplinary Infractions 61 Pa.C.S. § 6138(d)(5) 61 Pa.C.S. § 6138(e)(3)</i>
1st violation	6 months maximum	3—6 months	12 months maximum
2nd violation	9 months maximum	6—9 months	18 months maximum
3rd/subseq. violation	12 months maximum	9—12 months	24 months maximum
<i>CCC/CCF/PVC Recommitments</i>	3 months maximum	6 months maximum	12 months maximum

TABLE 2—Convicted parole violator recommitment ranges

<i>Level</i>	<i>New Conviction</i>	<i>Non-violent (NV) recommitment range</i>	<i>Violent (V) recommitment range</i>	<i>Agg/Mit</i>
A	OGS 1—OGS 3	1—6 months	1—6 months	+ 3
B	OGS 4—OGS 7	6—12 months	6—12 months	+/- 6
C	OGS 8—OGS 12	12—18 months	12—18 months	+/- 6
D	OGS 13—OGS 16	18—30 months	24—36 months	+/- 12
E	OGS 17—OGS 26	24—36 months	36—48 months	+/- 12
F	OGS 27—OGS 30	N/A	60—unserved balance	- 24
G	OGS G-1-OGS G-2	N/A	60—unserved balance	- 24
H	OGS H-1—OGS H-6	N/A	Maximum/unserved balance	N/A

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