

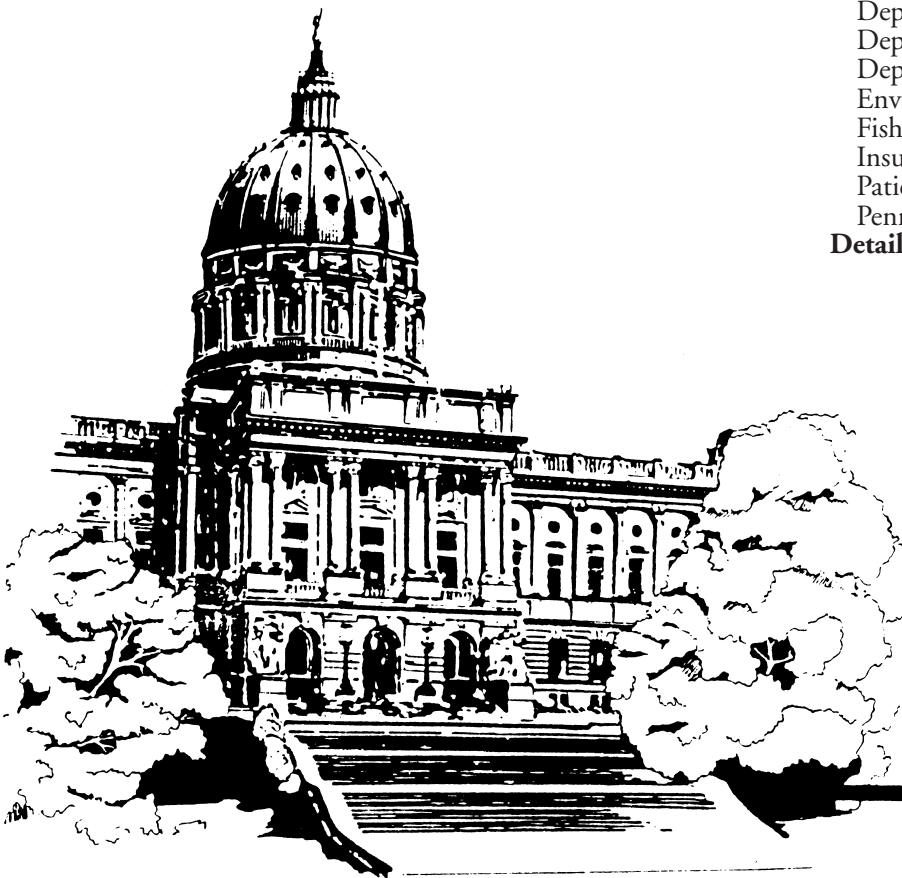
PENNSYLVANIA BULLETIN

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Agencies in this issue

The Governor
The General Assembly
The Courts
Department of Banking and Securities
Department of Community and Economic
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Department of Education
Department of Environmental Protection
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Department of Human Services
Environmental Quality Board
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Insurance Department
Patient Safety Authority
Pennsylvania Public Utility Commission

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**Latest Pennsylvania Code Reporter
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No. 538, September 2019

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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.pacode.com.

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

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

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.

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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 2019.

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THE GOVERNOR

Title 4—ADMINISTRATION

PART I. GOVERNOR'S OFFICE

[4 PA. CODE CH. 5]

[EXECUTIVE ORDER 2019-06]

Reducing Gun Violence

August 16, 2019

Whereas, gun violence in the United States and within this Commonwealth has resulted in the tragic loss of human life; and

Whereas, more than 1,600 individuals lost their lives to a firearm death in Pennsylvania in 2017 at a rate higher than the national average, and the number of firearm deaths continues to rise; and

Whereas, gun violence is a multilayered issue that manifests itself as a public health crisis affecting communities across Pennsylvania, resulting in a significant number of suicides and accidental deaths by gun and the growing threat of mass casualty incidents like the domestic terror incident at the Tree of Life synagogue in Pittsburgh; and

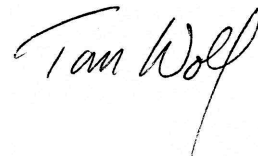
Whereas, the scourge of gun violence plagues our communities and denigrates our values as Pennsylvanians; and

Whereas, the Commonwealth must be committed to deploying all necessary resources to reduce gun violence and to keep weapons from dangerous individuals; and

Whereas, the Commonwealth must engage in a statewide effort to combat the systemic causes of violence, such as poverty, lack of economic opportunities and mental and behavioral health supports; and

Whereas, Sections 501 and 502 of The Administrative Code of 1929 (71 P.S. §§ 181, 182) require administrative departments and the several independent and departmental administrative boards and commissions to coordinate their work and activities with other departments, boards and commissions.

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



Governor

Fiscal Note: GOV-2019-06. Minimal increase in program costs; (8) recommends adoption.

Annex A

TITLE 4. ADMINISTRATION

PART I. GOVERNOR'S OFFICE

CHAPTER 5. COUNCILS AND COMMITTEES

Subchapter TTT. REDUCING GUN VIOLENCE

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 5.1012. Office of Gun Violence Prevention.
 5.1013. Division of Violence Prevention.
 5.1014. Violence Data Dashboard.

- 5.1015. Executive agency responsibilities.
- 5.1016. Special Council on Gun Violence.
- 5.1017. Implementation.
- 5.1018. Effective date.

§ 5.1011. Senior Advisor for Gun Violence Prevention.

There is hereby established a Senior Advisor for Gun Violence Prevention (Senior Advisor) who will coordinate the Commonwealth's gun reform agenda. The Senior Advisor shall be appointed by and shall serve at the pleasure of the Governor.

§ 5.1012. Office of Gun Violence Prevention.

There is hereby established within the Pennsylvania Commission on Crime and Delinquency the Office of Gun Violence Prevention (Office), which shall work to eradicate gun violence from a public safety perspective. The Office will collaborate with the Division of Violence Prevention, coordinate a system of focused police deterrence in neighborhoods and cities where violence is most extreme and work with other Commonwealth agencies and stakeholders on community gun violence prevention and lost and stolen firearms reporting requirements for law enforcement.

§ 5.1013. Division of Violence Prevention.

There is hereby established within the Department of Health, the Division of Violence Prevention (Division), which will work to eradicate and prevent gun violence from a public health perspective. The Division will collaborate with the Office of Gun Violence Prevention and administer the Department of Health's new and existing violence prevention programs.

§ 5.1014. Violence Data Dashboard.

The Department of Health will establish a Violence Data Dashboard that will collect and provide data on the scope, frequency, locations and populations affected by violence, including data on the number of victims of gun violence, rates at which gun violence occurs in locations and contributory factors. The Department of Health will coordinate with and collect data from the Department of Human Services, Pennsylvania State Police, Pennsylvania Commission on Crime and Delinquency and other Commonwealth entities.

§ 5.1015. Executive agency responsibilities.

In addition to the foregoing, the following Commonwealth agencies will provide support to assist in understanding the causes and prevention of gun violence.

(a) *Department of Health.* In addition to establishing the Violence Data Dashboard (Dashboard), the Department of Health will establish a Suicide Death Review Team to conduct multidisciplinary reviews of suicides, provide data to the Dashboard and make recommendations to prevent future suicide-related deaths in this Commonwealth.

(b) *Department of Human Services.* The Department of Human Services will direct the Suicide Prevention Task Force to make recommendations on actions to reduce suicides by gun.

(c) *Pennsylvania State Police.* The Pennsylvania State Police will enhance and expand its efforts to identify and deter potential sources of gun violence, develop gun violence prevention training and draft guidelines for local gun buyback programs.

§ 5.1016. Special Council on Gun Violence.

There is established within the Pennsylvania Commission on Crime and Delinquency (Commission) a Special Council on Gun Violence (Council) to study and make recommendations to reduce and prevent gun violence.

(a) *Council responsibilities.* The Council shall:

(1) Conduct its first meeting within 60 days of the effective date of this subchapter.

(2) Adopt a public health and community engagement strategy that includes gun owners, health care professionals and victims of gun-related incidents, that will provide direction, duties and responsibilities to the Office of Gun Violence Prevention.

(3) Review current background check processes for firearms purchasers and make recommendations for improvement.

(4) Review best practices and make recommendations that keep weapons from dangerous individuals.

(5) Identify and define strategies across Commonwealth agencies to align resources to reduce gun violence.

(6) Provide the Commission and the Senior Advisor for Gun Violence Prevention with recommendations to reduce incidents of community violence, mass shootings, domestic violence, suicide and accidental shootings in this Commonwealth within 180 days of the initial meeting of the Council.

(b) *Composition.*

(1) The Council shall consist of the following members who shall be appointed by and serve at the pleasure of the Governor. Members may appoint designees to serve on their behalf. The Governor will fill vacancies as they occur.

(a) Representative of the Children's Advocacy Center Advisory Committee;

(b) Representative of the Criminal Justice Advisory Committee;

(c) Representative of the Mental Health and Justice Advisory Committee;

(d) Representative of the Juvenile Justice and Delinquency Prevention Committee;

(e) Representative of the Victims' Services Advisory Committee;

(f) Representative of the School Safety and Security Committee;

(g) Representative of the Sheriffs and Deputy Sheriffs Education and Training Board;

(h) One representative from each of the four legislative caucuses of the General Assembly;

(i) The following Commonwealth Officials:

(1) Secretary of Education;

(2) Secretary of Health;

(3) Secretary of Human Services;

(4) State Police Commissioner;

(5) Executive Director of the Commission;

(6) Director of the Office of Homeland Security.

(2) The Governor may appoint ex officio members to assist the Council as needed. Ex officio members shall serve at the pleasure of the Governor.

(3) The Commission Chair shall head the Council and shall serve at the pleasure of the Governor.

(c) *Council Operations.*

(1) The Council may establish committees, rules and procedures necessary to effectively fulfill its obligations.

(2) A majority of the members of the Council shall constitute a quorum.

(3) Members of the Council may attend Council meetings in person or virtually by telephone, Skype or other electronic communications methods approved by the Council. Virtual attendance shall be considered attendance for purposes of constituting a quorum.

(4) The Council will receive administrative services and assistance from the Commission.

(d) *Compensation.* Members of the Council shall not receive compensation for their service on the Council, except that members may be entitled to receive reimbursement for reasonable travel costs and expenditures incurred while performing Council business in accordance with the Commonwealth's travel and subsistence policies. The Commission will pay for the approved travel and subsistence expenses of the Council members who are not Commonwealth employees or officials. See Chapter 40 (relating to travel and subsistence).

§ 5.1017. Implementation.

All Commonwealth agencies under the Governor's jurisdiction are directed to take all steps necessary to implement this subchapter. Independent agencies are also strongly encouraged to implement this subchapter.

§ 5.1018. Effective date.

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

[Pa.B. Doc. No. 19-1354. Filed for public inspection September 6, 2019, 9:00 a.m.]

Title 4—ADMINISTRATION

PART I. GOVERNOR'S OFFICE

[4 PA. CODE CH. 6]

[EXECUTIVE ORDER NO. 2019-04]

Establishing a Citizen-First Government and Promoting Customer Service Transformation

July 24, 2019

Whereas, Commonwealth agencies under the Governor's jurisdiction invest significant financial resources in obtaining, creating and supporting the Commonwealth's Customer Service Transformation; and

Whereas, Sections 501 and 502 of The Administrative Code of 1929 (71 P.S. §§ 181, 182) require administrative departments and the several independent and departmental administrative boards and commissions to coordinate their work and activities with other departments, boards and commissions; and

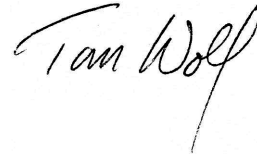
Whereas, it is vital that the Commonwealth offer similar levels of Service to its Citizens whether online, by phone or in person; and

Whereas, investments and development efforts should be prioritized and coordinated across Enterprise agencies for High Impact Service Providers (HISP) to align self-service and digital services to maximize investments and efficiencies; and

Whereas, the proliferation of business processes, technology, communication methods and collaboration provides a significant opportunity to improve the Citizen Experience.

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 a

Citizen-First Government to be facilitated by the Customer Service Transformation, and order and direct as follows:



Governor

Fiscal Note: GOV-2019-04. Increase in program costs to the Commonwealth. Costs are being determined as the scope and implementation timeline are in progress; (8) recommends adoption.

Annex A

TITLE 4. ADMINISTRATION

PART I. GOVERNOR'S OFFICE

CHAPTER 6. ADDITIONAL COUNCILS AND COMMITTEES

Subchapter LLL. ESTABLISHING A CITIZEN-FIRST GOVERNMENT AND PROMOTING CUSTOMER SERVICE TRANSFORMATION

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6.762.	Powers and duties.
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§ 6.761. Terms and definitions.

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

a. *Citizen*—Any person, business or other entity obtaining services, either directly or indirectly, from the Commonwealth.

b. *Citizen experience*—The full series of interactions or steps that a citizen takes when seeking a service or a series of services and has a discrete beginning and end.

c. *Citizen experience goals*—Measurable outcomes related to the citizen experience that agencies identify to drive performance improvement and inform citizen expectations for service delivery.

d. *Citizen experience standards*—A set of rules, principles and current best practices common to all agencies under the Governor's jurisdiction that guide the delivery of services to citizens.

e. *Citizen profile*—The unique data associated with a citizen and contains information that is used by the enterprise to facilitate a specific service for the citizen.

f. *Data*—Any recorded information, regardless of the form, the media on which it is recorded or the method of recording, that is owned, controlled, managed, processed, generated or stored by the Commonwealth, which may be protected by law, order, regulation, directive or policy and may be sensitive or confidential so that it requires security controls and compliance standards.

g. *Enterprise* (also, "*Commonwealth agencies*" or "*agencies*")—The collective term for all agencies, authorities, boards, commissions and program areas under the Governor's jurisdiction.

h. *Framework*—A high-level structure that serves as a guiding principle for an artifact such as a directive or service design.

i. *High impact service providers (HISP)*—Entities designated by agencies, in consultation with the Governor's Office, that provide the highest impact services, either due to serving a large number of citizens or performing a critical function for citizens. HISPs typically provide transactional services or perform regulatory functions in which time, money or information is used to receive a good, service or authorization.

j. *One-stop shop*—A single point of entry that provides a collection of service options to a citizen with one or multiple modes of service delivery.

k. *Services*—A collection of enterprise processes and procedures to deliver something of value to a citizen.

l. *Single sign-on*—A service capability to authenticate, access and automatically log into different digital services with a single user credential.

m. *System of record*—The authoritative data source from which services obtain information.

§ 6.762. Powers and duties.

The Deputy Secretary for Information Technology, Office of Administration is responsible for the management and operation of enterprise business and information technology services; the executive agencies, authorities, boards and commissions under the Governor's jurisdiction are responsible for the management and operation of services to the citizens of this Commonwealth; and the Governor's Communications Office sets the direction for communications with citizens, including the use of digital content.

§ 6.763. Responsibilities.

The Governor's Office and Governor's Office of Administration's Office of Information Technology (IT), through established governance processes and other management directives, shall:

a. *Facilitate and govern.*

(1) All activities related to the fundamental objectives outlined in this subchapter.

(2) The ongoing transition of traditional nondigital services to a digital service platform.

(3) The appropriate alignment of and compliance with all applicable enterprise policies to meet the fundamental objectives of this subchapter.

(4) The enterprise workforce towards a citizen-first government through the development of appropriate skills and training to meet the objectives of the customer service transformation (transformation).

b. *Establish.*

(1) A citizen-first framework that promotes the innovative spirit and skills of the enterprise through ITs personnel and technologies.

(2) An Executive Steering Committee (Committee) to lead, support and monitor the transformation. The Committee will:

(a) Address statutory roadblocks that may burden the transformation.

(b) Educate stakeholders on the opportunity and value of the transformation.

(c) Develop quantifiable metrics, service levels and other reporting mechanisms to determine the performance of the transformation and to require corrective action, as needed.

c. *Coordinate and consult.*

(1) With the Office of General Counsel to ensure all transformation activities maintain the protection and privacy of citizen data.

(2) With the Governor's Office of the Budget on budgetary matters related to planning and procurement in support of transformation.

(3) With Commonwealth agencies on the impact to existing service delivery efforts.

d. *Identify and improve.*

(1) Common business and IT functions within agencies, make recommendations for alignment, integration and investment, and facilitate the use of common technology that supports the fundamental objectives of this subchapter.

(2) Programs managing data, privacy, risk and accessibility associated with Commonwealth data, facilities and materials to provide comprehensive protections and make decisions about how to manage risk associated with the transformation.

(3) Data source standards to facilitate better connections and access of citizen data.

(4) The citizen service experience through one-stop shops, online, in-person, telephone and other engagement channels.

§ 6.764. Objectives.

A citizen-first government will establish fundamental objectives for customer service transformation for all agencies under the Governor's jurisdiction.

a. Create a single online destination for services that enables citizens to find the services they need and to conduct business with the enterprise, even if they do not know which agency provides them.

b. Enable secure access to services through a single login.

(1) Use consistent, modern and secure authentication standards available through a single sign-on capability to simplify user account management and eliminate multiple login credentials.

(2) Establish capabilities to connect citizens to existing systems of records using a consent-based approach that will enable citizens to view and update their data across agencies and program areas in a seamless fashion using a common technology identity.

c. Deliver a consistent and user-friendly online experience across all digital services.

(1) Ensure all online destinations shall have a consistent look and feel to ensure a single identity for enterprise services.

(2) Ensure all online resources are functional regardless of device, browser and connection speed.

(3) Ensure online services and information are accessible to all citizens, regardless of disability.

(4) Ensure all written information is concise, in plain language and current.

d. Consolidate and streamline the Commonwealth's digital footprint.

(1) Evaluate small, outdated or low-traffic web sites for elimination or consolidation to streamline the Commonwealth's online presence and make information easier to find.

(2) Make consistent use of the pa.gov domain for all Commonwealth sites.

e. Drive continuous improvement.

(1) Collect feedback from citizens to identify new opportunities to improve and innovate services.

(2) Make feedback available to Commonwealth officials and employees as well as the public.

f. Offer a single telephone number to direct citizens to Commonwealth services.

(1) Enable citizens to find connections to agencies and services through a single point of contact.

(2) Retain existing telephone numbers for agencies and services, as needed.

§ 6.765. Reporting and performance.

a. The Commonwealth shall establish enterprise citizen experience standards (standards) which will apply to services performed by all agencies under the Governor's jurisdiction. The standards will guide service delivery

through a common set of rules for managing citizen experience including, but not limited to, responsiveness to citizens and service follow-up.

b. Agencies tasked with activities for the customer service transformation shall identify and make available to the public citizen experience goals for the high impact service providers (HISP) that the agencies oversee.

c. Agencies shall provide regular status updates to the executive steering committee detailing their HISPs' performance relative to the citizen experience goals.

d. The Governor's Office of Performance Through Excellence shall lead, consult and coordinate with agencies on the following:

- (1) Defining the criteria of what constitutes a HISP;
- (2) Developing and implementing citizen experience goals;
- (3) Managing citizen experience through:
 - (a) Metrics and data analytics,
 - (b) Governance and strategy,
 - (c) Culture and organization,
 - (d) Citizen understanding,
 - (e) Service design and delivery; and
- (4) Prioritizing the immediate development of citizen experience standards and metrics relating to HISPs.

§ 6.766. Implementation.

All Commonwealth agencies under the Governor's jurisdiction will take all steps necessary to implement this subchapter. Independent agencies are also strongly encouraged to implement this subchapter.

§ 6.767. Effective date.

This subchapter takes effect immediately.

§ 6.768. Termination date.

This subchapter remains in effect unless revised or rescinded by the Governor.

[Pa.B. Doc. No. 19-1355. Filed for public inspection September 6, 2019, 9:00 a.m.]

THE GENERAL ASSEMBLY

TITLE 204—JUDICIAL SYSTEM GENERAL PROVISIONS

COMMISSION ON SENTENCING [204 PA. CODE CH. 303]

Adopted 7th Edition Sentencing Guidelines, Amendment 5

On March 7, 2019, the Pennsylvania Commission on Sentencing approved for purposes of public comment a proposed Amendment 5 to the 7th Edition Sentencing Guidelines, 204 Pa. Code §§ 303.1—303.18. The proposal was published in the *Pennsylvania Bulletin* on April 27, 2019. Public hearings were held May 29 (Norristown, Montgomery County), June 6 (Ebensburg, Cambria County), and June 12 (Harrisburg, Dauphin County) of 2019.

On June 13, 2019, the Commission on Sentencing adopted 7th Edition Amendment 5 Sentencing Guidelines. Proposals adopted by the Commission will be submitted to the General Assembly for review by way of publication in the *Pennsylvania Bulletin*, and will become effective 90 days after publication unless rejected by concurrent resolution of the General Assembly.

7th Edition Sentencing Guidelines

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

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

Amendment 5, as adopted, primarily addresses legislative mandates to create sentencing enhancements for:

- 1) Domestic violence involving simple or aggravated assault in the presence of a minor (42 Pa.C.S. § 9720.8);
- 2) Homicide by vehicle (75 Pa.C.S. § 3732(a)) if there is a conviction for a violation of 75 Pa.C.S. § 1501 (required to be licensed) or § 1543 (operating privilege suspended/revoked); and
- 3) Aggravated assault by vehicle (75 Pa.C.S. § 3732.1(a)) if there is a conviction for a violation of 75 Pa.C.S. § 1501 (required to be licensed) or § 1543 (operating privilege suspended/revoked).

The Amendment addresses changes in the classification of offenses related to driving under the influence (75

Pa.C.S. § 3802) and other Title 75 offenses, and it assigns offense gravity scores to new and modified offenses enacted by the General Assembly during the 2017-2018 Session.

7th Edition Amendment 5 Sentencing Guidelines, as adopted by the Commission, is summarized below and set forth in Annex A.

JUDGE SHEILA A. WOODS-SKIPPER,
Chair

Commentary on Annex A

This Commentary provides selected highlights of the adopted Amendment 5 to the 7th Edition Sentencing Guidelines. The adopted Amendment 5 is set forth in Annex A.

Revisions to § 303.1—Sentencing guideline standards

Language is modified in 303.1(b) to allow for resentencing guidelines (204 Pa. Code Chapter 307) which apply to revocations of probation, county intermediate punishment, and state intermediate punishment.

Language is modified in 303.1(c)(2). Amendment 4 of the 7th Edition Sentencing Guidelines were effective January 1, 2018 and apply to all offenses committed on or after that date. The Supplement to Amendment 4 was effective June 1, 2018 and applies to violations of 35 P.S. § 780-113(a)(14) and (30) involving fentanyl and its derivatives and analogues. Amendment 5 will be effective January 1, 2020 and apply to offenses committed on or after that date.

Revisions to § 303.2—Procedure for determining the guideline sentence

No changes.

Revisions to § 303.3—Offense gravity score (general)

Language was modified in (f) to address the offense gravity score assignment instances in which the grade of an offense in § 303.15 is decreased.

In (g), the offense gravity score of '15' will apply to all sentences for first or second degree murder.

Revisions to § 303.4—Prior record score (categories)

No changes.

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

No changes.

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

Language was modified in (a)(2) to clarify the inclusion of juvenile adjudications for driving under the influence and operating a watercraft under the influence.

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

No changes.

Revisions to § 303.8—Prior record score (miscellaneous)

No changes.

Revisions to § 303.9—Guideline sentence recommendations (general)

The Commission modified the Youth and School Enhancement. In its view, distribution of a controlled substance to a minor is a more serious offense than distribution in a school zone. Therefore, the application of the

enhancement is modified in § 303.9(c). See also §§ 303.10, 303.11, 303.13, and 303.18.

Act 157 of 2018 mandated that the Commission adopt a sentencing enhancement for simple and aggravated assault if the defendant committed the offenses against a family or household member, the defendant knew the crime was witnessed via sound or sight by a minor, and the minor was also a family or household member. The Commission chose to expand this mandate to propose a broader sentencing enhancement that applies to any offense under 18 Pa.C.S. Chapters 25, 27, 29, 30, 31, or 49 against a family or household member. The offense gravity score is increased by one point. Additionally, if the offense was witnessed by a minor family/household member, the court must consider whether to order the offender to pay any costs or fees associated with treatment for the minor resulting from exposure to domestic violence. See also § 303.10 and § 303.14.

Revisions to § 303.10—Guideline sentence recommendations (enhancements)

The Commission modified the Youth and School Enhancement. In its view, distribution of a controlled substance to a minor is a more serious offense than distribution in a school zone. Therefore, the application of the enhancement is modified in § 303.10(b). See also §§ 303.9, 303.11, 303.13, and 303.18.

In (h), the Commission sets forth the Domestic Violence Sentencing Enhancement. See also § 303.9 and § 303.14.

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

The Commission modified the Youth and School Enhancement. In its view, distribution of a controlled substance to a minor is a more serious offense than distribution in a school zone. Therefore, the application of the enhancement is modified in § 303.11(b). See also §§ 303.9, 303.10, 303.13, and 303.18.

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

No changes.

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

The Commission modified the Youth and School Enhancement. In its view, distribution of a controlled substance to a minor is a more serious offense than distribution in a school zone. Therefore, the application of the enhancement is modified in § 303.13(b)(7). See also §§ 303.9, 303.10, 303.11, and 303.18.

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

Under (b) related to costs and fees, the Commission includes a reference to the Domestic Violence Sentencing Enhancement. See also § 303.9 and § 303.10.

Revisions to § 303.15—Offense listing

New or modified offenses:

18 Pa.C.S.A.

- § 2713. Neglect of care-dependent person
- § 2713.1. Abuse of care-dependent person
- § 2802. Hazing a minor or student
- § 2803. Aggravated hazing a minor or student
- § 3505. Unlawful use of unmanned aircraft
- § 3935.1. Theft of secondary metal

- § 4121. Possession and use of unlawful device
- § 4304. Endangering welfare of children
- § 4915.2. Sexual offender registration
- § 5103.1. Use or operate device to capture, record, etc., proceeding or person in judicial facility
- § 5532—5549. Cruelty to animals
- § 6105. Firearms-persons not to possess: failure to relinquish with PFA
- § 6105.2. Firearms-persons not to possess: intentionally or knowingly fail to relinquish
- § 6701. Misrepresentation of military service or honors
- § 7314. Fraudulent traffic in SNAP benefits
- 75 Pa.C.S.A.
- § 1543. Drive with suspended/revoked license
- § 3732. Homicide by vehicle
- § 3732.1. Aggravated assault by vehicle
- § 3735. Homicide by vehicle while DUI
- § 3735.1. Aggravated assault by vehicle while DUI
- § 3742.1. Accident involving death/personal injury
- § 3802. DUI

Change in OGS:

35 P.S.

§ 780-113(a)(14). Delivery by practitioner-fentanyl and its derivatives and analogues (<1g)

§ 780-113(a)(30). Possession with intent to fentanyl and its derivatives and analogues (<1g)

Corrections:

18 Pa.C.S.A.

§ 2904(a). Interfere with custody of children-good cause/time <24 hrs. (ML Tier I)

§ 3922(a)(3). Theft by deception-fail to correct (>\$25,000-<\$100,000 or motorized vehicle)

§ 3923(a)(7). Theft by extortion-inflect harm (>\$25,000-<\$100,000 or motorized vehicle)

§ 3925(a). Theft of receiving stolen property (>\$25,000-<\$100,000 or motorized vehicle)

23 Pa.C.S.A.

§ 6319. Failure to report or refer suspected child abuse

35 P.S.

§ 780-113(a)(30). Possession with intent to deliver PCP (100-<1000 g)

Technical Change:

18 Pa.C.S.A.

§ 7313(a). Buying/exchanging food stamps benefits

Assignment of OGS 15 to Murder 1 and Murder 2:

18 Pa.C.S.A.

- § 2502. Murder
- § 2505. Causing suicide (as homicide 1 or 2)
- § 2507. Murder of law enforcement officer
- § 2604. Murder of unborn child
- § 2716. Weapons of mass destruction-use (cause death)
- § 3301. Arson endangering persons-cause death w/intent (murder)

Revisions to § 303.16(a)—Sentencing Guidelines Matrix

No changes.

Revisions to § 303.16(b)—Sentencing Guidelines Matrix

Matrix modified to incorporate an OGS 15 for all murder of first and second degree.

Revisions to § 303.17—Deadly Weapon Enhancement Matrices

No changes.

Revisions to § 303.18—Youth and School Enhancement Matrices

Sentencing ranges for OGS 12 and OGS 14 added due to OGS assignments for fentanyl.

Commission recommends greater ranges applied for Youth Enhancement than for School Enhancement. Section 303.18(a) changed to School Enhancement. Section 303.18(b) changed to Youth Enhancement. Section 303.18(c) renamed School and Youth Enhancement. Also see §§ 303.9(c), 303.10(b), 303.11(b), and 303.13(b)(7).

Resource Utilization

In accordance with 42 Pa.C.S.A. § 2153(a)(15), the Commission is mandated to determine resources required under current guidelines 7th Edition Amendment 4 (including the Supplement) and resources that would be required to carry out 7th Edition Amendment 5.

Changes to the sentencing guidelines may be initiated by the Commission or in response to legislation enacted by the General Assembly. The majority of changes contained in Amendment 5 are in response to the legislative mandate to create sentencing enhancements and for new and modified offenses.

A resource utilization can only be completed where reliable data are available.

Commission Initiated Modifications

The Commission modified the Youth and School Enhancement to allow greater enhancements for the Youth Enhancement than for the School Enhancement. It views the distribution of a controlled substance to a minor as a more serious offense than distribution in a school zone. However, the impact will be minimal given the small number of sentences imposed under this Enhancement and the tradeoff between sentences under the Youth Enhancement and sentences under the School Enhancement.

In 2018, only 5 sentences were reported for this enhancement. The only sentence involving the Youth Enhancement was sentenced to county incarceration.

The remaining four sentences were School Enhancements. The average minimum state incarceration sentence was 31.0 months. Given the minimum School Enhancement recommendations will decrease with Amendment 5, a small reduction in bed days may result.

The Commission decreased the OGS assignment for the smallest amount of fentanyl (<1 gram). The offense gravity score was reduced from OGS 9 to OGS 8 for delivery by practitioner and for possession with intent to deliver (35 780-113(a)(14) and (30)). The Supplement to Amendment 4 Sentencing Guidelines was effective June 1, 2018, and the Commission considered sentences imposed since then.

The total number of sentences reported for fentanyl (<1 gram) increased from 2018 to 2019, as did the percentage of sentences to state prison and the duration of those

sentences. With a reduction in the OGS assignment for this category, the standard range recommendation for offenders with a PRS = 0 now includes consideration of county jail and county intermediate punishment. It is anticipated that this will slow or reverse the recent trend.

The Commission also modified language to the prior record score assignment calculation to clarify inclusion of prior driving/boating under the influence juvenile adjudications. The impact is insignificant.

New Legislative Mandated Sentencing Enhancements

The Commission addressed the following sentencing enhancements with an increase in offense gravity score. No data are currently available to determine resources needed.

1) Domestic violence involving simple or aggravated assault in the presence of a minor (42 Pa.C.S. § 9720.8).

The Commission addressed this enhancement with an increase in OGS for offenses in Title 18 Chapters 25, 27, 29, 30, 31 or 41 when domestic violence is involved.

Additionally, if the offense was witnessed by a minor family/household member, the court must consider whether to order the offender to pay any costs or fees associated with treatment for the minor resulting from exposure to domestic violence.

2) Homicide by vehicle (75 Pa.C.S. § 3732(a)) if there is a conviction for a violation of 75 Pa.C.S. § 1501 (required to be licensed) or § 1543 (operating privilege suspended/revoked).

The Commission addressed this enhancement through subcategorization of the offense and assignment of offense gravity scores.

3) Aggravated assault by vehicle (75 Pa.C.S. § 3732.1(a)) if there is a conviction for a violation of 75 Pa.C.S. § 1501 (required to be licensed) or § 1543 (operating privilege suspended/revoked).

The Commission addressed this enhancement through subcategorization of the offense and assignment of offense gravity scores.

New Offenses

The Commission assigned offense gravity scores to new offenses. No data are available to determine resources needed for the following new offenses:

18 Pa.C.S.A. § 2713.1. Abuse of a care-dependent person.

18 Pa.C.S.A. § 2802. Hazing a minor or student.

18 Pa.C.S.A. § 2803. Aggravated hazing of a minor or student.

18 Pa.C.S.A. § 3505. Unlawful use of unmanned aircraft.

18 Pa.C.S.A. § 3935.1. Theft of secondary metal.

18 Pa.C.S.A. § 4121. Possession and use of unlawful device.

18 Pa.C.S.A. § 4915.2. Sexual offender registration.

18 Pa.C.S.A. § 5103.1. Use or operate device to capture, record, etc. proceeding or person in judicial facility.

18 Pa.C.S.A. § 6105.2. Firearms-persons not to possess: relinquishment of firearms/licenses by convicted persons.

18 Pa.C.S.A. § 6701. Misrepresentation of military service or honors.

Modified offenses

Commission assigned offense gravity scores to modified offenses. Given the small number of sentences to state incarceration, impact will be minimal.

18 Pa.C.S.A. § 2713(a)(1)(2) and (3). Neglect of a care-dependent person.

The new F-1 offense subcategories relate to causing death. Currently there is an F-1 offense (cause SBI). There were 2 sentences reported for 2018. Both were state incarceration sentences with an average minimum sentence of 32.5 months.

The new M-2 subcategorization relates to failing to provide treatment, care, etc., and was assigned an OGS 2. There are no current M-2 graded offenses within this offense. However, an M-1 offense with a higher OGS (4) exists. Only 9 sentences were reported, and they fall primarily under the county with 56% receiving probation and 11% county incarceration and 11% CIP. Overall, in 2018, 3% of M-2 offenses assigned OGS 2 were sentenced to state incarceration with an average 6.2 months minimum sentence.

The new F-3 offense subcategory, relating to course of conduct in failing to provide treatment, care, etc., was assigned an OGS of 5. In 2018 overall, 16% of F-3 OGS 5 offenses were sentenced to state incarceration with an average minimum sentence of 14.9 months.

18 Pa.C.S.A. § 4304. Endangering welfare of children (child < 6 years and/or substantial risk of death/SBI)

This offense was subcategorized to increase the statutory grade for victims younger than age 6 and/or for substantial risk of death or SBI. The impact on state incarceration will be minimal. Note that the OGS omnibus policy was applied to these new subcategories. Amendment 5 will increase the OGS.

The total number of offenders sentenced for these new categories totaled 48, and only 6 offenders were sentenced to state incarceration: 5 received an average of 18 months minimum incarceration and one 24 months minimum. Another 16 offenders were sentenced to county incarceration. It is possible those 16 offenders would be sentenced to state incarceration with a likely similar sentence.

F-1 (substantial risk of death/SBI, course of conduct, child younger than 6). Three sentences were reported in 2018 and all to probation or county incarceration.

F-2 (course of conduct and child younger than 6). A total of five sentences were reported. Only one offender received a state sentence. The average minimum was 18 months.

F-2 (substantial risk of death/SBI and child younger than 6). Only one sentence was reported. It was a state sentence with an 18-month minimum.

F-3 (child younger than 6). While 35 sentences were reported, only 9% or 3 sentences were state sentences. The average minimum was 18 months.

F-3 (substantial risk of death/SBI). Only one of the four reported sentences for this offense was a state incarceration sentence. The minimum sentence was 24 months.

18 Pa.C.S.A. § 5532 to § 5594. Cruelty to animals.

This section of statute replaced § 5511—§ 5511.3.

A total of 65 sentences were reported in 2018. Of those, 4 sentences were state incarceration with an average minimum of 12 months or less.

18 Pa.C.S.A. § 6105. Firearms-persons not to possess: fail to relinquish w/ PFA.

This offense was reduced to an M-2, and the OGS was decreased from 5 to 4.

No sentences were reported in 2018.

Overall, for this grade and OGS, 12% of sentences were sentenced to state incarceration with an average of 9.7 months minimum sentence.

18 Pa.C.S.A. § 7314. Fraudulent traffic in SNAP benefits.

Thresholds and grades of offenses were modified.

No sentences were reported in 2018.

Overall, in 2018, 46% of F-2 offenses with an OGS of 7 were sentenced to state incarceration and received an average minimum sentence of 20.1 months. State incarceration sentences accounted for 16% of reported sentences for F-3 offenses assigned OGS of 5 and averaged 14.9 months minimum. Only 5% of M-1 offenses with an OGS 3 were sentenced to state incarceration; the average minimum sentence was 11.2 months.

75 Pa.C.S.A. § 1543. Drive with suspended/revoked license as a condition of ARD/conviction for DUI (3rd/subsequent offense)

No sentences were reported for this offense in 2018. Overall in 2018, an M-3 offense with an OGS of 1 reported less than 1% of sentences of state incarceration. The average minimum sentence was 3.6 months.

75 Pa.C.S.A. § 3735. Homicide by vehicle while DUI (prior DUI).

During 2018, 40 sentences were reported for the F-2 homicide by vehicle while DUI. All were state incarceration sentences an average 41.2 months minimum sentence. The new subcategorization includes a prior DUI.

75 Pa.C.S.A. § 3735.1. Aggravated assault by vehicle while DUI-required to be licensed or operating privileges revoked.

The offense of aggravated assault by vehicle was subcategorized to include the licensing or operating privileges components. The grade remains the same; the Commission increased the OGS assignment by one.

No data are available for the new subcategories. Of the 75 sentences reported in 2018 for the original offense, 63% or 47 sentences were state incarceration and 2% or 3 sentences were SIP. The average state incarceration minimum was 30.4 months.

75 Pa.C.S.A. § 3742.1. Accident involving death/personal injury-not properly licensed (acting with negligence)

The offense subcategorization added 'acting with negligence.' The offense is graded M-2 if it resulted in death and graded as M-3 if it involves SBI. The Commission increased the M-2 offense OGS by 1 for offenses involving death.

Only 1 of the 64 sentences reported for the existing M-2 offense was a state incarceration sentence. The average minimum sentence was 9 months. Only 9 sentences were county incarceration. It is possible some sentences may shift from county to state incarceration. However, it would be minimal impact. More than 80% of the sentences were probation.

Modifications to DUI statute

There were significant changes to DUI-related offenses. Sentences for DUI are driven by the offense grade and mandatory statutes. The offense gravity score is based on the grade for these DUI offenses.

Grade	OGS
M	1
M-2	3
M-1	5
F-3	6

Statute was modified to subcategorize fourth and subsequent offenses, and it graded these offenses as an F-3. Previously, third and subsequent offenses were graded an M-1. For those offenses, the Commission cannot determine how many offenses were 4th and subsequent in the current data reported.

Overall, of the 17,991 sentences reported for DUI, 520 state incarceration sentences were imposed (3%). The average minimum sentence was 11.2 months. While the actual number of offenders was small, the percentage of state incarceration sentences trends upward with the subsequent DUI offense.

For DUI involving commercial/school vehicles, statute increased the 4th and subsequent offenses from an M-1 to an F-3. The offense gravity scores were decreased per the policy that the grade aligns with the offense gravity score and drives the sentences.

However, there will be minimal impact on state incarceration. During 2018, only 4 sentences were reported involving commercial/school vehicles. All sentences imposed were to county incarceration.

Effective Date

The 7th Edition Amendment 5 Sentencing Guidelines shall become effective January 1, 2020 unless disapproved by the General Assembly, pursuant to 42 Pa.C.S.A. § 2155(b).

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

(a) The court shall consider the sentencing guidelines in determining the appropriate sentence for offenders convicted of, or pleading guilty or nolo contendere to, felonies and misdemeanors. Where crimes merge for sentencing purposes, the court shall consider the sentencing guidelines only on the offense assigned the higher Offense Gravity Score.

(b) The sentencing guidelines do not apply to sentences imposed as a result of the following: accelerated rehabilitative disposition; disposition in lieu of trial; direct or indirect contempt of court; violations of protection from abuse orders; revocation of probation, **county intermediate punishment or state intermediate punishment, except as provided in 204 Pa. Code Chapter 307;** or revocation of parole.

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

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

(2) The initial sentencing guidelines went into effect on July 22, 1982 and applied to all crimes committed on or after that date. Amendments to the guidelines went into effect in June 1983, January 1986 and June 1986. On October 7, 1987 the Pennsylvania Supreme Court invalidated the guidelines due to a procedural error that occurred in 1981 when the legislature rejected the first set of guidelines. New guidelines were drafted and became effective on April 25, 1988. Amendments to the guidelines went into effect August 9, 1991 and December 20, 1991. Revised sets of guidelines became effective August 12, 1994, June 13, 1997, June 3, 2005, December 5, 2008, and December 28, 2012. Amendments to the guidelines went into effect September 27, 2013, September 26, 2014, [and] September 25, 2015, **January 1, 2018, and June 1, 2018**. This amendment, Amendment [4] 5 of the 7th Edition Sentencing Guidelines, shall take effect January 1, [2018] **2020** and apply to all crimes committed on or after that date.

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

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

(2) Effective for sentences imposed on or after January 1, 2016, the JNET-based Sentencing Guidelines Software Web application (SGS Web) shall be used at the court's direction to report all subsequent revocations of probation, county intermediate punishment and state intermediate punishment and related resentences to the Commission. The information shall be electronically submitted to the Commission via SGS Web no later than 30 days after the date of resentencing.

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

§ 303.2. Procedure for determining the guideline sentence.

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

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

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

(3) Determine the guideline sentence recommendation as described in § 303.9—§ 303.14, including enhancements (§ 303.10), and aggravating or mitigating circumstances (§ 303.13).

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

§ 303.3. Offense Gravity Score—general.

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

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

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

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

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

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

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

(d) *Ethnic Intimidation.* Convictions for Ethnic Intimidation (18 Pa.C.S. § 2710) receive an Offense Gravity Score that is one point higher than the offense which was the object of the Ethnic Intimidation. When the object offense is murder of the third degree, a conviction for Ethnic Intimidation receives the highest Offense Gravity Score applicable.

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

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

(f) *Omnibus Offense Gravity Scores.* [**The Omnibus Offense Gravity Score is applied in the following circumstances:**] **The Omnibus Offense Gravity Scores are provided below and in the listing at § 303.15:**

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

The Omnibus Offense Gravity Score is applied in the following circumstances:

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

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

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

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

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

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

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

§ 303.4. Prior Record Score—categories.

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

(1) *Repeat Violent Offender Category [REVOC].* Offenders who have two or more previous convictions or adjudi-

cations for four point offenses (§ 303.7(a)(1) and § 303.15) and whose current conviction carries an Offense Gravity Score of 9 or higher shall be classified in the Repeat Violent Offender Category.

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

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

§ 303.5. Prior Record Score—prior convictions.

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

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

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

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

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

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

§ 303.6. Prior Record Score—prior juvenile adjudications.

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

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

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

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

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

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

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

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

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

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

§ 303.7. Prior Record Score—guideline points scoring.

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

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

Murder, and attempt, solicitation or conspiracy to commit Murder

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

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

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

Ethnic Intimidation to any Felony 1 offense

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

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

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

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

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

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

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

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

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

Any of the following Misdemeanor 1 offenses that involve weapons:

Possessing Instruments of Crime (possession of a weapon)

Prohibited Offensive Weapons

Use or Possession of Electric or Electronic Incapacitation Device

Possession of Weapon on School Property

Possession of Firearm or Other Dangerous Weapon in Court Facility

Violations of the Pennsylvania Uniform Firearms Act

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

Involuntary Manslaughter

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

Luring a Child into a Vehicle

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

Indecent Exposure (persons present are less than age 16)

Endangering Welfare of Children

Dealing in Infant Children

Recruiting Criminal Gang Members

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

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

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

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

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

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

§ 303.8. Prior Record Score—miscellaneous.

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

(1) A prior conviction means “previously convicted” as defined in 42 Pa.C.S. § 2154(a)(2). A prior adjudication of delinquency means “previously adjudicated delinquent” as defined in 42 Pa.C.S. § 2154(a)(2). In order for an offense to be considered in the Prior Record Score, both the commission of and conviction for the previous offense must occur before the commission of the current offense.

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

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

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

(d) *Former Pennsylvania offenses.*

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

(2) When there is no current equivalent Pennsylvania offense, prior convictions or adjudications of delinquency are scored under § 303.7 based on the grade of the offense. When a prior conviction or adjudication of delinquency was for a felony, but the grade of the felony is unknown, it shall be treated as a Felony 3. When a prior conviction was for a misdemeanor, but the grade of the misdemeanor is unknown, it shall be treated as other

misdemeanors. When it cannot be determined if the prior conviction was a felony, one point misdemeanors, or other misdemeanors, it shall be treated as other misdemeanors. When a prior conviction is for a crime which has a summary grade, and the grade of the conviction is unknown, the prior conviction shall not be counted in the Prior Record Score.

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

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

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

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

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

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

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

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

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

§ 303.9. Guideline sentence recommendation: general.

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

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

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

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

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

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

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

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

the guidelines, the statutory limit is the longest legal minimum sentence, which is one-half the maximum allowed by law.

(h) *Mandatory sentences.* The court has no authority to impose a sentence less than that required by a mandatory minimum provision established in statute. When the guideline range is lower than that required by a mandatory sentencing statute, the mandatory minimum requirement supersedes the sentence recommendation. When the sentence recommendation is higher than that required by a mandatory sentencing statute, the court shall consider the guideline sentence recommendation.

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

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

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

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

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

range. If the offender possessed more than 200 images to 500 images, 12 months are added to the lower limit of the standard range and 12 months are added to the upper limit of the standard range. If the offender possessed more than 500 images, 18 months are added to the lower limit of the standard range and 18 months are added to the upper limit of the standard range.

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

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

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

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

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

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

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

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

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

§ 303.10. Guideline sentence recommendations: enhancements.

(a) *Deadly Weapon Enhancement.*

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

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

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

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

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

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

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

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

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

(i) Possessing Instruments of Crime

(ii) Prohibited Offensive Weapons

(iii) Possession of Weapon on School Property

(iv) Possession of Firearm or Other Dangerous Weapon in Court Facility

(v) Simple Assault (18 Pa.C.S. § 2701(a)(2))

(vi) Aggravated Assault (18 Pa.C.S. § 2702(a)(4))

(vii) Theft when property stolen is a firearm (18 Pa.C.S. Chapter 39)

(viii) Violations of the Pennsylvania Uniform Firearms Act

(ix) Any other offense for which possession of a deadly weapon is an element of the statutory definition

(x) If the Arson Enhancement under § 303.10(f)(1)(iii) is applied.

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

(b) [*Youth/School*] *School/Youth Enhancement.*

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

(2) When the court determines that the offender manufactured, delivered or possessed with intent to deliver a controlled substance within 250 feet of the real property

on which is located a public or private elementary or secondary school, the court shall consider the sentence recommendations described in § 303.9(c).

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

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

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

(c) *Criminal Gang Enhancement.*

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

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

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

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

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

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

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

(e) *Sexual Abuse of Children Enhancement.*

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

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

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

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

(i) the bondage of a child;

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

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

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

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

(f) *Arson Enhancement.*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

§ 303.11. Guideline sentence recommendation: sentencing levels.

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

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

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

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

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

Total confinement in a county facility

Partial confinement in a county facility

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

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

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

Total confinement in a state facility

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

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

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

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

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

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

Total confinement in a state facility

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

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

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

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

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

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

Total confinement in a state facility

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

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

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

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

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

§ 303.12. Guideline sentence recommendations: sentencing programs.

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

(1) *Eligibility.*

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

37 Pa. Code § 451.1 et seq.

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

204 Pa. Code § 303.8 and § 303.9

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

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

(3) *County intermediate punishments classifications.* In order to incorporate county intermediate punishment programs into the sentencing levels, the Commission has classified county intermediate punishment programs as Restrictive Intermediate Punishments (RIP) and restorative sanction programs. Additionally, specific county intermediate punishment programs have been identified in legislation (42 Pa.C.S. §§ 9763(c) and 9804(b)) and regulation (37 Pa. Code § 451.52) as authorized sentences for convictions relating to Operating a Watercraft Under the Influence of Alcohol or a Controlled Substance, Driving While Operating Privilege is Suspended or Revoked, Driving Under the Influence of Alcohol or Controlled Substance and Illegally Operating a Motor Vehicle Not Equipped with Ignition Interlock; the Commission has classified these programs as Qualified Restrictive Intermediate Punishments.

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

(i) Restrictive Intermediate Punishments (RIP) either:

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

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

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

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

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

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

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

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

(i) Restorative sanction programs:

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

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

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

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

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

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

1. a residential inpatient program or residential rehabilitative center;

2. house arrest with electronic surveillance;

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

4. any combination of qualified Restrictive Intermediate Punishment programs.

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

1. house arrest with electronic surveillance; or

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

3. any combination of Qualified Restrictive Intermediate Punishment programs.

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

(1) *Eligibility*.

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

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

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

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

(1) *Eligibility*.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(10) In no case shall a mitigated sentence for offenders under age 18 for murder of the first or second degree, murder of unborn child of the first or second degree, or murder of law enforcement officer of the first or second

degree be less than the mandatory minimum established in statute (18 Pa.C.S. § 1102.1).

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

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

§ 303.14. Guideline sentence recommendations—economic sanctions.

(a) *Fines.*

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

- (i) 18 Pa.C.S. § 1101 (relating to fines)
- (ii) 35 P.S. § 780-113(b)—(o) (relating to controlled substances)
- (iii) 42 Pa.C.S. § 9726 (relating to fine as a sentence)
- (iv) 42 Pa.C.S. § 9758 (relating to imposition of a fine)
- (v) 75 Pa.C.S. § 3804 (relating to fines for DUI)

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

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

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

(A) *OGS 1*

- i. PRS 0 25 hours-50 hours
- ii. PRS 1 50 hours-75 hours
- iii. PRS 2 75 hours-100 hours
- iv. PRS 3 100 hours-125 hours

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

- i. PRS 0 50 hours-75 hours
 - ii. PRS 1 150 hours-175 hours
 - iii. PRS 2 225 hours-250 hours
 - iv. PRS 3 300 hours-325 hours
- (D) *OGS 4*

- i. PRS 0 100 hours-125 hours
 - ii. PRS 1 225 hours-250 hours
 - iii. PRS 2 300 hours-325 hours
- (E) *OGS 5*

- i. PRS 0 225 hours-250 hours

(b) *Costs and fees.*

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

- (i) 18 P.S. § 11.1101 (relating to Crime Victim's Compensation Fund costs)
- (ii) 18 P.S. § 11.1102 (relating to costs of offender supervision programs)
- (iii) 42 Pa.C.S. § 1725.3 (relating to criminal laboratory user fees)
- (iv) 42 Pa.C.S. § 9721(c.1) (relating to mandatory payment of costs)
- (v) 42 Pa.C.S. § 9728(b.2) (relating to mandatory payment of costs)

(2) Costs and fees, in addition to those required by law, may be added to any guideline sentence, as authorized by law. Relevant statutes include but are not limited to:

- (i) 18 Pa.C.S. § 1109 (relating to costs of any reward)
- (ii) 42 Pa.C.S. § 1725 (relating to establishment of fees and charges)
- (iii) 42 Pa.C.S. § 1725.1 (relating to costs)
- (iv) 42 Pa.C.S. § 1725.2 (relating to assumption of summary conviction costs by county)
- (v) 42 Pa.C.S. § 1726.1 (relating to forensic exam costs for sexual offenses)
- (vi) 42 Pa.C.S. § 1726.2 (relating to criminal prosecution involving domestic violence)
- (vii) 42 Pa.C.S. § 9728(g) (relating to costs, etc.)

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

(c) *Restitution*

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

(i) 18 Pa.C.S. § 1106 (relating to injuries to person or property)

(ii) 18 Pa.C.S. § 1107 (relating to theft of timber)

(iii) 18 Pa.C.S. § 1107.1 (relating to restitution for identity theft)

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

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

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

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

§ 303.15. **Offense Listing.**

CRIMES CODE OFFENSES

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

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

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
2502(b)	Murder-2nd degree (offender 15-<18 yrs)	Murder of 2nd Degree	15	4
2502(b)	Murder-2nd degree (offender <15 yrs)	Murder of 2nd Degree	15	4
2502(c)	Murder-3rd degree	F-1	14	4
2502(c)	Murder-3rd degree (victim <13 yrs)	F-1	14	4
2503(a)(1)	Voluntary manslaughter (provocation from victim)	F-1	11	4
2503(a)(2)	Voluntary manslaughter (provocation from another)	F-1	11	4
2503(b)	Voluntary manslaughter (believe justified)	F-1	11	4
2504(a)	Involuntary manslaughter (victim <12 yrs)	F-2	8	2
2504(a)*	Involuntary manslaughter (with DUI conviction)	M-1	8	1
2504(a)*	Involuntary manslaughter (with BUI conviction)	M-1	8	1
2504(a)*	Involuntary manslaughter	M-1	6	1
2505(a)	Suicide, causing (as homicide/murder 1)	Murder of 1st Degree	[18 Pa.C.S. § 1102(a)] 15	4
2505(a)	Suicide, causing (as homicide/murder 2)	Murder of 2nd Degree	[18 Pa.C.S. § 1102(b)] 15	4
2505(a)	Suicide, causing (as homicide/murder 3)	F-1	14	4
2505(a)	Suicide, causing (as homicide/vol manslaughter)	F-1	11	4
2505(a)	Suicide, causing (as homicide/invol. manslaughter)	M-1	6	1
2505(a)	Suicide, causing (as homicide/invol. manslaughter-victim <12 yrs)	F-2	8	2
2505(a)	Suicide, causing (as homicide/invol. manslaughter-w/ DUI or BUI conv)	M-1	8	1
2505(b)	Suicide, aiding or soliciting (positive result)	F-2	6	2
2505(b)	Suicide, aiding or soliciting (no result)	M-2	2	m
2506(a)	Drug delivery resulting in death	F-1	13	4
2507 Inchoate	—Attempt/solicitation/conspiracy to Murder of law enforcement officer (SBI)	18 Pa.C.S. § 1102(c)	14	4
2507 Inchoate	—Attempt/solicitation/conspiracy to Murder of law enforcement officer (No SBI)	18 Pa.C.S. § 1102(c)	13	4
2507(a)	Murder of law enforcement officer-1st degree	Murder of 1st Degree	[18 Pa.C.S. § 1102(a)] 15	4
2507(a)	Murder of law enforcement officer-1st degree (offender 15-<18 yrs.)	Murder of 1st Degree	15	4
2507(a)	Murder of law enforcement officer-1st degree (offender <15 yrs.)	Murder of 1st Degree	15	4
2507(b)	Murder of law enforcement officer-2nd degree	Murder of 2nd Degree	[18 Pa.C.S. § 1102(b)] 15	4
2507(b)	Murder of law enforcement officer-2nd degree (offender 15-<18 yrs.)	Murder of 2nd Degree	15	4
2507(b)	Murder of law enforcement officer-2nd degree (offender <15 yrs.)	Murder of 2nd Degree	15	4
2507(c)(1)(i)	Manslaughter of law enforcement officer (1st degree/provocation by victim)	F-1	14	4

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

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
2701(a)(4)	Simple assault-penetrate w/ hypodermic needle (mutual consent)	M-3	1	m
2702(a)(1)*	Aggravated assault-cause SBI	F-1	11	4
2702(a)(1)*	Aggravated assault-attempt SBI	F-1	10	3
2702(a)(2)*	Aggravated assault-cause SBI to police/enumerated persons	F-1	11	4
2702(a)(2)*	Aggravated assault-attempt SBI to police/enumerated persons	F-1	10	3
2702(a)(3)	Aggravated assault-attempt/cause BI to police/enumerated persons	F-2	6	2
2702(a)(4)	Aggravated assault-attempt/cause BI w/ deadly weapon	F-2	8	2
2702(a)(5)	Aggravated assault-attempt/cause BI to teacher, etc	F-2	6	2
2702(a)(6)	Aggravated assault-cause fear of SBI	F-2	6	2
2702(a)(7)	Aggravated assault-use tear gas/electronic device ag. police, etc.	F-2	6	2
2702(a)(8)	Aggravated assault-attempt/cause BI (against child <6 by person >=18)	F-2	7	2
2702(a)(9)*	Aggravated assault-cause SBI (against child <13 by person >=18)	F-1	12	4
2702(a)(9)*	Aggravated assault-attempt SBI (against child <13 by person >=18)	F-1	11	4
2702.1(a)	Assault of law enforcement officer-discharge firearm (1st degree)	F-1	13	4
2703(a)	Assault by prisoner	F-2	7	2
2703.1	Aggravated harassment by prisoner	F-3	6	1
2704	Assault by life prisoner	Murder of 2nd Degree	[18 Pa.C.S. § 1102(b)] <u>15</u>	4
2704 Inchoate	—Attempt/solicitation/conspiracy to assault by life prisoner (SBI)	18 Pa.C.S. § 1102(c)	14	4
2704 Inchoate	—Attempt/solicitation/conspiracy to assault by life prisoner (No SBI)	8 Pa.C.S. § 1102(c)	13	4
2705	Recklessly endangering another person	M-2	3	m
2706(a)(1)	Terroristic threats-intent to terrorize	M-1	3	m
2706(a)(1)	Terroristic threats-intent to terrorize/divert from activities	F-3	5	1
2706(a)(2)	Terroristic threats-cause evacuation of building	M-1	3	m
2706(a)(2)	Terroristic threats-cause evacuation of building/divert from activities	F-3	5	1
2706(a)(3)	Terroristic threats-serious public inconvenience	M-1	3	m
2706(a)(3)	Terroristic threats-serious public inconvenience/divert from activities	F-3	5	1
2707(a)	Propulsion of missiles into an occupied vehicle	M-1	3	m
2707(b)	Propulsion of missiles onto a roadway	M-2	2	m
2707.1(a)	Discharge of firearm into an occupied structure	F-3	10	1
2708(a)	Use of tear gas in labor dispute	M-1	3	m
2709(a)(1)	Harassment-subject other physical contact (prev. violation of order)	M-3	1	m

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
2709(a)(2)	Harassment-follow in public place (prev. violation of order)	M-3	1	m
2709(a)(3)	Harassment-course of conduct w/ no legitimate purpose (prev. violation of order)	M-3	1	m
2709(a)(4)	Harassment-lewd communication	M-3	1	m
2709(a)(5)	Harassment-repeated, anonymous communication	M-3	1	m
2709(a)(6)	Harassment-repeated communication: inconvenient hours	M-3	1	m
2709(a)(7)	Harassment-repeated communication: other	M-3	1	m
2709(a.1)(1)(i)	Cyber harassment of a child; seriously disparaging statements or opinion (course of conduct)	M-3	1	m
2709(a.1)(1)(ii)	Cyber harassment of a child; threat to inflict harm (course of conduct)	M-3	1	m
2709.1(a)(1)	Stalking-repeated acts to cause fear of BI (1st off)	M-1	4	m
2709.1(a)(1)	Stalking-repeated acts to cause fear of BI (2nd/subsq off)	F-3	6	1
2709.1(a)(1)	Stalking-repeated acts to cause fear of BI (prior crime of violence)	F-3	6	1
2709.1(a)(2)	Stalking-course of conduct to cause fear of BI (1st off)	M-1	4	m
2709.1(a)(2)	Stalking-course of conduct to cause fear of BI (2nd/subsq off)	F-3	6	1
2709.1(a)(2)	Stalking-course of conduct to cause fear of BI (prior crime of violence)	F-3	6	1
2710	Ethnic Intimidation	18 Pa.C.S. § 2710(b)	See § 303.3(d)	See § 303.8(c)
2712(a)	Assault-sports official	M-1	3	m
<u>2713(a)(1)</u>	<u>Neglect of care-dependent person-no treatment (cause death)</u>	<u>F-1</u>	<u>11</u>	<u>3</u>
2713(a)(1)	Neglect of care-dependent person-no treatment (cause SBI)	F-1	10	3
2713(a)(1)	Neglect of care-dependent person-no treatment (cause BI)	M-1	4	m
<u>2713(a)(2)</u>	<u>Neglect of care-dependent person-physical/chemical restraint (cause death)</u>	<u>F-1</u>	<u>11</u>	<u>3</u>
2713(a)(2)	Neglect of care-dependent person-physical/chemical restraint (cause SBI)	F-1	10	3
2713(a)(2)	Neglect of care-dependent person-physical/chemical restraint (cause BI)	M-1	4	
<u>2713(a)(3)</u>	<u>Neglect of care-dependent person-fails to provide treatment, care, goods, etc. (course of conduct)</u>	<u>F-3</u>	<u>5</u>	<u>1</u>
<u>2713(a)(3)</u>	<u>Neglect of care-dependent person-fails to provide treatment, care, goods, etc.</u>	<u>M-2</u>	<u>2</u>	<u>m</u>
<u>2713.1(a)(1)(i)</u>	<u>Abuse of care-dependent person-intent to harass, etc. (strike, shove kick)</u>	<u>M-1</u>	<u>4</u>	<u>m</u>
<u>2713.1(a)(1)(ii)</u>	<u>Abuse of care-dependent person-intent to harass, etc. (course of conduct)</u>	<u>M-1</u>	<u>4</u>	<u>m</u>
<u>2713.1(a)(1)(iii)</u>	<u>Abuse of care-dependent person-intent to harass, etc. (communications-type)</u>	<u>M-1</u>	<u>3</u>	<u>m</u>

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
2713.1(a)(1)(iv)	Abuse of care-dependent person-intent to harass, etc. (communicate-extremely inconvenient hours)	M-1	3	m
2713.1(a)(2)	Abuse of care-dependent person-offense under 18 § 2709.1 (related to stalking)	F-3	5	1
2714	Unauthorized administration of intoxicant	F-3	8	1
2715(a)(3)	Threat to use weapons of mass destruction-reports w/o knowledge	M-1	3	m
2715(a)(3)	Threat to use weapons of mass destruction-reports w/o knowledge (divert from activities)	F-3	5	1
2715(a)(3)	Threat to use weapons of mass destruction-reports w/o knowledge (during emergency)	F-2	7	2
2715(a)(4)	Threat to use weapons of mass destruction-threaten placement	M-1	3	m
2715(a)(4)	Threat to use weapons of mass destruction-threaten placement (divert from activities)	F-3	7	1
2715(a)(4)	Threat to use weapons of mass destruction-threaten placement (during emergency)	F-2	7	2
2716(a)	Weapons of mass destruction-possession (1st off)	F-2	7	2
2716(a)	Weapons of mass destruction-possession (2nd/subsq off)	F-1	11	4
2716(b)(1)	Weapons of mass destruction-use (cause death)	Murder of 2nd Degree	[18 Pa.C.S. § 1102(b)] 15	4
2716(b)(1)	Weapons of mass destruction-use (cause injury/illness)	F-1	13	4
2716(b)(2)	Weapons of mass destruction-use (cause damage/disrupt water/food)	F-1	13	4
2716(b)(3)	Weapons of mass destruction-use (cause evacuation of building etc.)	F-1	13	4
2717(a)(1)	Terrorism-intim/coerce population (where violent offense is F-1)	F-1	one point higher than object offense	4
2717(a)(1)	Terrorism-intim/coerce population (where violent offense is F-2)	F-1	one point higher than object offense	3
2717(a)(1)	Terrorism-intim/coerce population (where violent offense is F-3 or ungraded felony)	F-2	one point higher than object offense	See § 303.7(a)
2717(a)(1)	Terrorism-intim/coerce population (where violent offense is M-1)	F-3	one point higher than object offense	See § 303.7(a)
2717(a)(1)	Terrorism-intim/coerce population (where violent offense is M-2)	M-1	one point higher than object offense	See § 303.7(a)
2717(a)(1)	Terrorism-intim/coerce population (where violent offense is M-3)	M-2	one point higher than object offense	See § 303.7(a)
2717(a)(2)	Terrorism-influence govt (where violent offense is F-1)	F-1	one point higher than object offense	4
2717(a)(2)	Terrorism-influence govt (where violent offense is F-2)	F-1	one point higher than object offense	3

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
2717(a)(2)	Terrorism-influence govt (where violent offense is F-3 or ungraded felony)	F-2	one point higher than object offense	See § 303.7(a)
2717(a)(2)	Terrorism-influence govt (where violent offense is M-1)	F-3	one point higher than object offense	See § 303.7(a)
2717(a)(2)	Terrorism-influence govt (where violent offense is M-2)	M-1	one point higher than object offense	See § 303.7(a)
2717(a)(2)	Terrorism-influence govt (where violent offense is M-3)	M-2	one point higher than object offense	See § 303.7(a)
2718(a)(1)	Strangulation-applying pressure to throat or neck	M-2	3	m
2718(a)(1)	Strangulation-applying pressure to throat or neck	F-2	9	2
2718(a)(1)	Strangulation-applying pressure to throat or neck	F-1	10	3
2718(a)(2)	Strangulation-blocking nose and mouth	M-2	3	m
2718(a)(2)	Strangulation-blocking nose and mouth	F-2	9	2
2718(a)(2)	Strangulation-blocking nose and mouth	F-1	10	3
<u>2802(a)(1)</u>	<u>Hazing a minor or student-violate federal or state criminal law (reasonable likelihood of BI)</u>	<u>M-3</u>	<u>1</u>	<u>m</u>
<u>2802(a)(2)</u>	<u>Hazing a minor or student-consume food, liquid, alcohol, drug, etc. (reasonable likelihood of BI)</u>	<u>M-3</u>	<u>1</u>	<u>m</u>
<u>2802(a)(3)</u>	<u>Hazing a minor or student-endure brutality of physical nature (reasonable likelihood of BI)</u>	<u>M-3</u>	<u>2</u>	<u>m</u>
<u>2802(a)(4)</u>	<u>Hazing a minor or student-endure brutality of mental nature (reasonable likelihood of BI)</u>	<u>M-3</u>	<u>2</u>	<u>m</u>
<u>2802(a)(5)</u>	<u>Hazing a minor or student-endure brutality of sexual nature (reasonable likelihood of BI)</u>	<u>M-3</u>	<u>2</u>	<u>m</u>
<u>2802(a)(6)</u>	<u>Hazing a minor or student-endure other activity (reasonable likelihood of BI)</u>	<u>M-3</u>	<u>1</u>	<u>m</u>
<u>2803(a)(1)*</u>	<u>Aggravated hazing a minor or student-reckless indifference (SBI)</u>	<u>F-3</u>	<u>5</u>	<u>1</u>
<u>2803(a)(1)*</u>	<u>Aggravated hazing a minor or student-reckless indifference (death)</u>	<u>F-3</u>	<u>7</u>	<u>1</u>
<u>2803(a)(2)*</u>	<u>Aggravated hazing a minor or student-causes, coerces or forces consumption of alcohol or drug (SBI)</u>	<u>F-3</u>	<u>5</u>	<u>1</u>
<u>2803(a)(2)*</u>	<u>Aggravated hazing a minor or student-causes, coerces or forces consumption of alcohol or drug (death)</u>	<u>F-3</u>	<u>7</u>	<u>1</u>
2901(a)(1)	Kidnapping-for ransom (victim >=18 yrs)	F-1	10	4
2901(a)(2)	Kidnapping-to facilitate a felony (victim >=18 yrs)	F-1	10	4
2901(a)(3)	Kidnapping-to inflict terror, BI (victim >=18 yrs)	F-1	10	4
2901(a)(4)	Kidnapping-to interfere w/ performance of pub. official (victim >=18 yrs)	F-1	10	4
2901(a.1)(1)*	Kidnapping-minor, for ransom/etc. (victim 14-<18 yrs)	F-1	10	4
2901(a.1)(1)*	Kidnapping-minor, for ransom/etc. (victim <14 yrs)	F-1	10	4
2901(a.1)(2)*	Kidnapping-minor, to facilitate felony (victim 14-<18 yrs)	F-1	10	4

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
2901(a.1)(2)*	Kidnapping-minor, to facilitate felony (victim <14 yrs)	F-1	10	4
2901(a.1)(3)*	Kidnapping-minor, to inflict terror, BI (victim 14-<18 yrs)	F-1	10	4
2901(a.1)(3)*	Kidnapping-minor, to inflict terror, BI (victim <14 yrs)	F-1	10	4
2901(a.1)(4)*	Kidnapping-minor, to interfere w/ pub. official (victim 14-<18 yrs)	F-1	10	4
2901(a.1)(4)*	Kidnapping-minor, to interfere w/ pub. official (victim <14 yrs)	F-1	10	4
2902(a)(1)	Unlawful restraint-risk SBI	M-1	3	m
2902(a)(2)	Unlawful restraint-involuntary servitude	M-1	3	m
2902(b)(1)	Unlawful restraint-risk SBI (victim <18 yrs)	F-2	8	2
2902(b)(2)	Unlawful restraint-involuntary servitude (victim <18 yrs)	F-2	8	2
2902(c)(1)	Unlawful restraint by parent-risk SBI (victim <18 yrs)	F-2	8	2
2902(c)(2)	Unlawful restraint by parent-involuntary servitude (victim <18 yrs)	F-2	8	2
2903(a)	False imprisonment (victim >=18 yrs)	M-2	2	m
2903(b)	False imprisonment (victim <18 yrs)	F-2	8	2
2903(c)	False imprisonment by parent (victim<18 yrs)	F-2	7	2
2904(a)	Interfere with custody of children	F-3	6	1
2904(a)*	Interfere with custody of children-good cause/time <24 hrs.	M-2	3	m
2904(a)*	Interfere with custody of children-good cause/time <24 hrs. (ML Tier I)	M-2	3	m
2904(a)	Interfere with custody of children-w/ reckless disregard	F-2	8	2
2905(a)	Interfere with custody of committed person	M-2	4	m
2906(a)(1)	Criminal coercion-threat to commit crime	M-2	2	m
2906(a)(1)	Criminal coercion-threat to commit crime (felony)	M-1	3	m
2906(a)(2)	Criminal coercion-threat to accuse of crime	M-2	2	m
2906(a)(2)	Criminal coercion-threat to accuse of crime (felony)	M-1	3	m
2906(a)(3)	Criminal coercion-threat to expose secret	M-2	2	m
2906(a)(3)	Criminal coercion-threat to expose secret (felony)	M-1	3	m
2906(a)(4)	Criminal coercion-threaten official act	M-2	2	m
2906(a)(4)	Criminal coercion-threaten official act (felony)	M-1	3	m
2907	Disposition of ransom	F-3	5	1
2909(b)(1)	Concealment of whereabouts of a child-in Commonwealth	F-3	4	1
2909(b)(2)	Concealment of whereabouts of a child-parents in Commonwealth	F-3	4	1
2910(a)	Luring child into motor vehicle/structure	M-1	5	1
2910	Luring a child into motor vehicle/structure (child <13 yrs)	F-2	8	2
3011(a)(1)	Human trafficking-trafficking in individuals (recruits, entices, solicits, harbors, etc.)	F-2	9	2
3011(a)(2)	Human trafficking-trafficking in individuals (knowingly benefits financially)	F-2	9	2

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
3011(b)	Human trafficking-trafficking in minors (activities in (a) result in minor's sexual servitude)	F-1	12	4
3012(b)(1)*	Human trafficking-involuntary servitude (cause serious harm)	F-1	10	3
3012(b)(1)*	Human trafficking-involuntary servitude (threaten serious harm)	F-1	9	3
3012(b)(2)*	Human trafficking-involuntary servitude (physically restrain another)	F-1	10	3
3012(b)(2)*	Human trafficking-involuntary servitude (threaten to physically restrain another)	F-1	9	3
3012(b)(3)*	Human trafficking-involuntary servitude (kidnap)	F-1	11	4
3012(b)(3)*	Human trafficking-involuntary servitude (attempt to kidnap)	F-1	10	3
3012(b)(4)*	Human trafficking-involuntary servitude (abuse legal process)	F-1	10	3
3012(b)(4)*	Human trafficking-involuntary servitude (threaten to abuse legal process)	F-1	9	3
3012(b)(5)	Human trafficking-involuntary servitude (taking/retaining personal property)	F-1	10	3
3012(b)(6)	Human trafficking-involuntary servitude (unlawful conduct of documents)	F-1	10	3
3012(b)(7)	Human trafficking-involuntary servitude (extortion)	F-1	10	3
3012(b)(8)	Human trafficking-involuntary servitude (fraud)	F-1	10	3
3012(b)(9)	Human trafficking-involuntary servitude (criminal coercion)	F-1	10	3
3012(b)(10)*	Human trafficking-involuntary servitude (duress through force)	F-1	10	3
3012(b)(10)*	Human trafficking-involuntary servitude (duress through threat of force)	F-1	9	3
3012(b)(11)	Human trafficking-involuntary servitude (debt coercion)	F-1	10	3
3012(b)(12)	Human trafficking-involuntary servitude (facilitate/restrict access to controlled substance)	F-1	10	3
3012(b)(13)	Human trafficking-involuntary servitude (cause believe harm/restraint to another)	F-1	10	3
3013(a)	Human trafficking-patronizing victim of sexual servitude	F-2	10	2
3014(1)	Human trafficking-unlawful conduct regarding documents (passport/other immigration document)	F-3	6	1
3014(2)	Human trafficking-unlawful conduct regarding documents (government ID document)	F-3	6	1
3015(a)(1)	Human trafficking-nonpayment of wages (<\$2,000)	M-3	2	m
3015(a)(2)(i)	Human trafficking-nonpayment of wages (=>\$2,000)	F-3	6	1
3015(a)(2)(ii)	Human trafficking-nonpayment of wages (2/subsq. violation)	F-3	6	1
3015(a)(2)(iii)	Human trafficking-nonpayment of wages (falsely denies amount due or validity of claim)	F-3	6	1

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
3016	Human trafficking-obstruction of justice; interfere with enforcement of chapter 30	Same as corresponding offense under 18 Pa.C.S. Chapter 30	Same as corresponding offense under 18 Pa.C.S. Chapter 30	Same as corresponding offense under 18 Pa.C.S. Chapter 30
3121(a)(1)	Rape-forcible compulsion	F-1	12	4
3121(a)(1)	Rape-forcible compulsion (uses substance to impair)	F-1	13	4
3121(a)(2)	Rape-threat of forcible compulsion	F-1	12	4
3121(a)(2)	Rape-threat of forcible compulsion (uses substance to impair)	F-1	13	4
3121(a)(3)	Rape-unconscious victim	F-1	12	4
3121(a)(3)	Rape-unconscious victim (uses substance to impair)	F-1	13	4
3121(a)(4)	Rape-substantially impaired victim	F-1	12	4
3121(a)(4)	Rape-substantially impaired victim (uses substance to impair)	F-1	13	4
3121(a)(5)	Rape-mentally disabled victim	F-1	12	4
3121(a)(5)	Rape-mentally disabled victim (uses substance to impair)	F-1	13	4
3121(c)	Rape-child (victim <13 yrs)	F-1	14	4
3121(d)	Rape-child w/ SBI (victim <13 yrs)	F-1	14	4
3122.1(a)(1)	Statutory sexual assault-victim <16 yrs (person 4-<8 yrs older)	F-2	7	2
3122.1(a)(2)	Statutory sexual assault-victim <16 yrs (person 8-<11 yrs older)	F-2	8	2
3122.1(b)	Statutory sexual assault-victim <16 yrs (person ≥11 yrs older)	F-1	9	3
3123(a)(1)	IDSI-forcible compulsion	F-1	12	4
3123(a)(2)	IDSI-threat of forcible compulsion	F-1	12	4
3123(a)(3)	IDSI-unconscious victim	F-1	12	4
3123(a)(4)	IDSI-substantially impaired victim	F-1	12	4
3123(a)(5)	IDSI-mentally disabled victim	F-1	12	4
3123(a)(7)	IDSI-victim <16 yrs (person ≥4 yrs older)	F-1	12	4
3123(b)	IDSI-child (victim <13 yrs)	F-1	14	4
3123(c)	IDSI-child w/ SBI (victim <13 yrs)	F-1	14	4
3124.1	Sexual assault	F-2	11	4
3124.2(a)	Institutional sexual assault-generally	F-3	6	1
3124.2(a.1)	Institutional sexual assault-minor (victim <18 yrs)	F-3	6	1
3124.2(a.2)	Institutional sexual assault-by school volunteer/employee	F-3	6	1
3124.2(a.3)	Institutional sexual assault-by child care volunteer/employee	F-3	6	1
3124.3(a)	Sexual assault by sports official of non-profit association	F-3	6	1
3124.3(b)	Sexual assault by volunteer or employee of non-profit association	F-3	6	1
3125(a)(1)	Aggravated indecent assault-w/o consent	F-2	10	4
3125(a)(1)	Aggravated indecent assault-of a child w/out consent (victim <13 yrs)	F-1	12	4

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
3125(a)(2)	Aggravated indecent assault-forcible compulsion	F-2	10	4
3125(a)(2)	Aggravated indecent assault-of a child/forcible compulsion (victim <13 yrs)	F-1	12	4
3125(a)(3)	Aggravated indecent assault-threat of forcible compulsion	F-2	10	4
3125(a)(3)	Aggravated indecent assault-of a child/threat of forcible compulsion (victim <13 yrs)	F-1	12	4
3125(a)(4)	Aggravated indecent assault-unconscious victim	F-2	10	4
3125(a)(4)	Aggravated indecent assault-of a child/unconscious victim (victim <13 yrs)	F-1	12	4
3125(a)(5)	Aggravated indecent assault-substantially impaired victim	F-2	10	4
3125(a)(5)	Aggravated indecent assault-of a child/substantially impaired victim (<13 yrs)	F-1	12	4
3125(a)(6)	Aggravated indecent assault-mentally disabled victim	F-2	10	4
3125(a)(6)	Aggravated indecent assault-of a child/mentally disabled victim (<13 yrs)	F-1	12	4
3125(a)(7)	Aggravated indecent assault-victim <13 yrs	F-2	10	4
3125(a)(8)	Aggravated indecent assault-victim <16 yrs (person ≥4 yrs older)	F-2	10	4
3126(a)(1)	Indecent assault-w/o consent	M-2	4	m
3126(a)(2)	Indecent assault-forcible compulsion	M-1	5	m
3126(a)(3)	Indecent assault-threat of forcible compulsion	M-1	5	m
3126(a)(4)	Indecent assault-unconscious victim	M-1	5	m
3126(a)(5)	Indecent assault-substantially impaired victim	M-1	5	m
3126(a)(6)	Indecent assault-mentally disabled victim	M-1	5	m
3126(a)(7)	Indecent assault-victim <13 yrs	M-1	5	1
3126(a)(7)	Indecent assault-victim <13 yrs (2nd/subsq)	F-3	6	1
3126(a)(7)	Indecent assault-victim <13 yrs/course of conduct	F-3	6	1
3126(a)(7)	Indecent assault-victim <13 yrs/touching victim's sexual parts w/ person's	F-3	6	1
3126(a)(7)	Indecent assault-victim <13 yrs/touching person's sexual parts w/ victim's	F-3	6	1
3126(a)(8)	Indecent assault-victim <16 yrs (person ≥4 yrs older)	M-2	4	m
3127(a)	Indecent exposure	M-2	3	m
3127(a)	Indecent exposure-victim <16 yrs	M-1	4	1
3129	Sexual intercourse with animal	M-2	2	m
3130(a)(1)	Conduct relating to sex offenders-withhold information	F-3	5	1
3130(a)(2)	Conduct relating to sex offenders-harbor sex offender	F-3	5	1
3130(a)(3)	Conduct relating to sex offenders-conceal sex offender	F-3	5	1
3130(a)(4)	Conduct relating to sex offenders-provide false information	F-3	5	1
3131(a)	Unlawful dissemination of intimate image (person depicted is minor <18 yrs)	M-1	3	m

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
3131(a)	Unlawful dissemination of intimate image (person depicted is not minor =>18 yrs)	M-2	2	m
3301(a)(1)(i)*	Arson endangering persons-danger of death (person in building or BI results)	F-1	10	4
3301(a)(1)(i)*	Arson endangering persons-danger of death (no person in building and no BI)	F-1	9	4
3301(a)(1)(i)*	Arson endangering persons-danger of death (cause SBI to civilian)	F-1	11	4
3301(a)(1)(i)*	Arson endangering persons-danger of death (cause BI to firefighter, etc.)	F-1	11	4
3301(a)(1)(ii)*	Arson endangering persons-inhabited building (person in building or BI results)	F-1	10	4
3301(a)(1)(ii)*	Arson endangering persons-inhabited building (no person in building and no BI)	F-1	9	4
3301(a)(1)(ii)*	Arson endangering persons-inhabited building (cause SBI to civilian)	F-1	11	4
3301(a)(1)(ii)*	Arson endangering persons-inhabited building (cause BI to firefighter, etc.)	F-1	11	4
3301(a)(2)	Arson endangering persons-cause death w/ intent (murder-1st degree)	Murder of 1st Degree	[18 Pa.C.S. § 1102(a)] <u>15</u>	4
3301(a)(2)	Arson endangering persons-cause death (murder-2nd degree)	Murder of 2nd Degree	[18 Pa.C.S. § 1102(b)] <u>15</u>	4
3301(a.1)(1)(i)*	Aggravated arson-attempt BI to civilian	F-1	10	4
3301(a.1)(1)(i)*	Aggravated arson-cause BI to civilian	F-1	11	4
3301(a.1)(1)(i)*	Aggravated arson-attempt SBI to civilian	F-1	11	4
3301(a.1)(1)(i)*	Aggravated arson-cause SBI to civilian	F-1	12	4
3301(a.1)(1)(i)*	Aggravated arson-attempt BI to firefighter, etc.	F-1	11	4
3301(a.1)(1)(i)*	Aggravated arson-cause BI to firefighter, etc.	F-1	12	4
3301(a.1)(1)(ii)	Aggravated arson-other felony arson (when person present inside property)	F-1	10	4
3301(a.1)(2)	Aggravated arson-fire/explosion causes death of any person	Murder of 2nd Degree	[18 Pa.C.S. § 1102(b)] <u>15</u>	4
3301(a.2)(1)	Arson of historic resource-w/ intent (fire/explosion)	F-2	7	2
3301(a.2)(2)	Arson of historic resource-aids/pays (fire/explosion)	F-2	7	2
3301(c)(1)	Arson endangering property-intent to destroy unoccupied bldg	F-2	6	2
3301(c)(2)	Arson endangering property-endangers inhabited building	F-2	6	2
3301(c)(3)	Arson endangering property-intent to collect insurance	F-2	6	2
3301(d)(1)	Arson-reckless burning or exploding (endanger unoccupied bldg)	F-3	5	1
3301(d)(2)	Arson-reckless burning or exploding (endanger property >\$5000)	F-3	5	1
3301(e)(1)	Arson-failure to control/report (duty)	M-1	3	m
3301(e)(2)	Arson-failure to control/report (own property)	M-1	3	m
3301(f)	Arson-possess explosive material (intent to use)	F-3	5	1
3301(g)	Arson-failure to disclose true owner	M-3	1	m

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
3302(a)	Catastrophe-causing (intentionally)	F-1	10	3
3302(a)	Catastrophe-causing (recklessly)	F-2	6	2
3302(b)	Catastrophe-risking	F-3	4	1
3303(1)	Failure to prevent catastrophe-duty	M-2	2	m
3303(2)	Failure to prevent catastrophe-acted or assented to	M-2	2	m
3304(a)(1)	Criminal mischief-damage prop/intent/reckless/neglig (>\$5,000)	F-3	5	1
3304(a)(1)	Criminal mischief-damage prop/intent/reckless/neglig (>\$1,000)	M-2	2	m
3304(a)(1)	Criminal mischief-damage prop/intent/reckless/neglig (>\$500)	M-3	1	m
3304(a)(2)	Criminal mischief-tamper w/ property (>\$5,000)	F-3	5	1
3304(a)(2)	Criminal mischief-tamper w/ property (>\$1,000)	M-2	2	m
3304(a)(2)	Criminal mischief-tamper w/ property (>\$500)	M-3	1	m
3304(a)(3)	Criminal mischief-cause pecuniary loss (>\$5,000)	F-3	5	1
3304(a)(3)	Criminal mischief-cause pecuniary loss (>\$1,000)	M-2	2	m
3304(a)(3)	Criminal mischief-cause pecuniary loss (>\$500)	M-3	1	m
3304(a)(4)	Criminal mischief-graffiti (>\$5,000)	F-3	5	1
3304(a)(4)	Criminal mischief-graffiti (>\$1,000)	M-2	2	m
3304(a)(4)	Criminal mischief-graffiti (>\$150)	M-3	1	m
3304(a)(5)	Criminal mischief-damage property (>\$5,000)	F-3	5	1
3304(a)(5)	Criminal mischief-damage property (>\$1,000)	M-2	2	m
3304(a)(5)	Criminal mischief-damage property (>\$500)	M-3	1	m
3304(a)(6)	Criminal mischief-paintball (>\$5,000)	F-3	5	1
3304(a)(6)	Criminal mischief-paintball (>\$1,000)	M-2	2	m
3304(a)(6)	Criminal mischief-paintball (>\$500)	M-3	1	m
3305	Tampering w/ fire apparatus/hydrants	M-3	1	m
3307(a)(1)	Institutional vandalism-place of worship (>\$5,000 or desecration)	F-3	5	1
3307(a)(1)	Institutional vandalism-place of worship (<=\$5,000)	M-2	2	m
3307(a)(2)	Institutional vandalism-cemetery (>\$5,000 or desecration)	F-3	5	1
3307(a)(3)	Institutional vandalism-school (>\$5,000 or desecration)	F-3	5	1
3307(a)(3)	Institutional vandalism-school (<=\$5,000)	M-2	2	m
3307(a)(3)	Institutional vandalism-cemetery (<=\$5,000)	M-2	2	m
3307(a)(4)	Institutional vandalism-adjacent grounds (>\$5,000 or desecration)	F-3	5	1
3307(a)(4)	Institutional vandalism-adjacent grounds (<=\$5,000)	M-2	2	m
3307(a)(5)	Institutional vandalism-personal property (>\$5,000 or desecration)	F-3	5	1
3307(a)(5)	Institutional vandalism-personal property (<=\$5,000)	M-2	2	m
3307(a.1)	Institutional vandalism-possess marking device on property	M-2	2	m
3309(a)	Agricultural vandalism (>\$5,000)	F-3	5	1
3309(a)	Agricultural vandalism (>\$1,000)	M-1	3	m

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

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

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
3503(b.3) (1)(i)	Agricultural biosecurity trespass-enter w/o license	M-3	1	m
3503(b.3) (1)(i)	Agricultural biosecurity trespass-enter w/o license (damage plant/animal)	M-1	3	m
3503(b.3) (1)(ii)	Agricultural biosecurity trespass-fail to perform measure (damage plant/animal)	M-1	3	m
3504(a)(1)(i)	Railroad vandalism to RR property-by disrupting train operation	M-3	1	m
3504(a)(1)(ii)	Railroad vandalism to RR property-by driving vehicle	M-3	1	m
3504(a)(1)(iii)	Railroad vandalism to RR property-by damaging property/equipment	M-3	1	m
3504(b)	Railroad protection-stowaways prohibited	M-3	1	m
3505(a)(3)	<u>Unlawful use of unmanned aircraft: intentionally or knowingly deliver, provide, transmit, furnish contraband</u>	F-2	7	2
3701(a)(1)(i)	Robbery-inflicts SBI	F-1	12	4
3701(a)(1)(i)	Robbery-inflicts SBI (drug-related)	F-1	13	4
3701(a)(1)(ii)	Robbery-threatens SBI	F-1	10	4
3701(a)(1)(ii)	Robbery-threaten SBI (drug-related)	F-1	11	4
3701(a)(1)(iii)	Robbery-commit/threaten any F1 or F2	F-1	9	4
3701(a)(1)(iii)	Robbery-commit/threaten any F1 or F2 (drug-related)	F-1	10	4
3701(a)(1)(iv)	Robbery-inflicts/threatens BI	F-2	7	2
3701(a)(1)(iv)	Robbery-inflicts/threatens BI (drug-related)	F-1	8	3
3701(a)(1)(v)	Robbery-takes property by force	F-3	5	1
3701(a)(1)(v)	Robbery-takes property by force (drug-related)	F-1	6	3
3701(a)(1)(vi)	Robbery-demand money from financial institution	F-2	7	2
3702(a)*	Robbery of motor vehicle-with SBI	F-1	12	4
3702(a)*	Robbery of motor vehicle-without SBI	F-1	9	4
3921(a)	Theft by unlaw taking-movable property (anhydrous ammonia)	F-2	8	2
3921(a)	Theft by unlaw taking-movable property (disaster)	F-2	8	2
3921(a)	Theft by unlaw taking-movable property (firearm)	F-2	8	2
3921(a)	Theft by unlaw taking-movable property (=>\$500,000)	F-1	8	3
3921(a)	Theft by unlaw taking-movable property (\$100,000-<\$500,000)	F-2	7	2
3921(a)*	Theft by unlaw taking-movable property (>\$25,000-<\$100,000/or motorized vehicle)	F-3	6	1
3921(a)*	Theft by unlaw taking-movable property (>\$2,000-\$25,000)	F-3	5	1
3921(a)	Theft by unlaw taking-movable property (<=\$2,000/from indiv./by threat/breach)	M-1	3	m
3921(a)	Theft by unlaw taking-movable property (\$200-\$2,000/no threat)	M-1	3	m
3921(a)	Theft by unlaw taking-movable property (\$50-<\$200/no threat)	M-2	2	m
3921(a)	Theft by unlaw taking-movable property (<\$50/no threat)	M-3	1	m

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

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

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

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3923(a)(5)	Theft by extortion-strike/boycott (\$50-<\$200/no threat)	M-2	2	m
3923(a)(5)	Theft by extortion-strike/boycott (<\$50/no threat)	M-3	1	m
3923(a)(6)	Theft by extortion-testimony (anhydrous ammonia)	F-2	8	2
3923(a)(6)	Theft by extortion-testimony (firearm)	F-2	8	2
3923(a)(6)	Theft by extortion-testimony (=>\$500,000)	F-1	8	3
3923(a)(6)	Theft by extortion-testimony (\$100,000-<\$500,000)	F-2	7	2
3923(a)(6)*	Theft by extortion-testimony (>\$25,000-<\$100,000/or motorized vehicle)	F-3	6	1
3923(a)(6)*	Theft by extortion-testimony (>\$2,000-\$25,000)	F-3	5	1
3923(a)(6)	Theft by extortion-testimony (<=\$2,000/from indiv./by threat/breach)	M-1	4	m
3923(a)(6)	Theft by extortion-testimony (\$200-\$2,000/no threat)	M-1	4	m
3923(a)(6)	Theft by extortion-testimony (\$50-<\$200/no threat)	M-2	2	m
3923(a)(6)	Theft by extortion-testimony (<\$50/no threat)	M-3	1	m
3923(a)(7)	Theft by extortion-inflict harm (anhydrous ammonia)	F-2	8	2
3923(a)(7)	Theft by extortion-inflict harm (firearm)	F-2	8	2
3923(a)(7)	Theft by extortion-inflict harm (=>\$500,000)	F-1	8	3
3923(a)(7)	Theft by extortion-inflict harm (\$100,000-<\$500,000)	F-2	7	2
3923(a)(7)*	Theft by extortion-inflict harm (>\$25,000-<\$100,000/or motorized vehicle)	F-3	6	1
3923(a)(7)*	Theft by extortion-inflict harm (>\$2,000-\$25,000)	F-3	5	1
3923(a)(7)	Theft by extortion-inflict harm (<=\$2,000/from indiv./by threat/breach)	M-1	4	m
3923(a)(7)	Theft by extortion-inflict harm (\$200-\$2,000/no threat)	M-1	4	m
3923(a)(7)	Theft by extortion-inflict harm (\$50-<\$200/no threat)	M-2	2	m
3923(a)(7)	Theft by extortion-inflict harm (<\$50/no threat)	M-3	1	m
3924	Theft of property-lost/mislaid (anhydrous ammonia)	F-2	8	2
3924	Theft of property-lost/mislaid (firearm)	F-2	8	2
3924	Theft of property-lost/mislaid (=>\$500,000)	F-1	8	3
3924	Theft of property-lost/mislaid (\$100,000-<\$500,000)	F-2	7	2
3924*	Theft of property-lost/mislaid (>\$25,000-<\$100,000/or motorized vehicle)	F-3	6	1
3924*	Theft of property-lost/mislaid (>\$2,000-\$25,000)	F-3	5	1
3924	Theft of property-lost/mislaid (<=\$2,000/from indiv./by threat/breach)	M-1	3	m
3924	Theft of property-lost/mislaid (\$200-\$2,000/no threat)	M-1	3	m
3924	Theft of property-lost/mislaid (\$50-<\$200/no threat)	M-2	2	m
3924	Theft of property-lost/mislaid (<\$50/no threat)	M-3	1	m
3925(a)	Theft by receiving stolen property (anhydrous ammonia)	F-2	8	2
3925(a)	Theft by receiving stolen property (disaster)	F-2	8	2
3925(a)	Theft by receiving stolen property (firearm/receiver in business)	F-1	9	3

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3925(a)	Theft by receiving stolen property (firearm/receiver not in business)	F-2	8	2
3925(a)	Theft of receiving stolen property (>= \$500,000)	F-1	8	3
3925(a)	Theft by receiving stolen property (\$100,000-<\$500,000)	F-2	7	2
3925(a)*	Theft of receiving stolen property (>\$25,000-<\$100,000/or motorized vehicle)	F-3	6	1
3925(a)*	Theft by receiving stolen property (>\$2,000-\$25,000)	F-3	5	1
3925(a)	Theft by receiving stolen property (<=\$2,000/from indiv./by threat/breach)	M-1	3	m
3925(a)	Theft by receiving stolen property (\$200-\$2,000/no threat)	M-1	3	m
3925(a)	Theft by receiving stolen property (\$50-<\$200/no threat)	M-2	2	m
3925(a)	Theft by receiving stolen property (<\$50/no threat)	M-3	1	m
3926(a)(1)	Theft of services-obtain service (anhydrous ammonia)	F-2	8	2
3926(a)(1)	Theft of services-obtain service (firearm)	F-2	8	2
3926(a)(1)	Theft of services-obtain service (>= \$500,000)	F-1	8	3
3926(a)(1)	Theft of services-obtain service (\$100,000-<\$500,000)	F-2	7	2
3926(a)(1)*	Theft of services-obtain service (>\$25,000-<\$100,000/or motorized vehicle)	F-3	6	1
3926(a)(1)*	Theft of services-obtain service (>\$2,000-\$25,000)	F-3	5	1
3926(a)(1)	Theft of services-obtain service (<=\$2,000/from indiv./by threat/breach)	M-1	3	m
3926(a)(1)	Theft of services-obtain service (\$200-\$2,000/no threat)	M-1	3	m
3926(a)(1)	Theft of services-obtain service (\$50-<\$200/no threat)	M-2	2	m
3926(a)(1)	Theft of services-obtain service (<\$50/no threat)	M-3	1	m
3926(a)(1.1)	Theft of services-obtain telecommunications (anhydrous ammonia)	F-2	8	2
3926(a)(1.1)	Theft of services-obtain telecommunications (firearm)	F-2	8	2
3926(a)(1.1)	Theft of services-obtain telecommunications (>= \$500,000)	F-1	8	3
3926(a)(1.1)	Theft of services-obtain telecommunications (\$100,000-<\$500,000)	F-2	7	2
3926(a)(1.1)*	Theft of services-obtain telecommunications (>\$25,000-<\$100,000/or motorized vehicle)	F-3	6	1
3926(a)(1.1)*	Theft of services-obtain telecommunications (>\$2,000-\$25,000)	F-3	5	1
3926(a)(1.1)	Theft of services-obtain telecommunications (<=\$2,000/from indiv./by threat/breach)	M-1	3	m
3926(a)(1.1)	Theft of services-obtain telecommunications (\$200-\$2,000/no threat)	M-1	3	m
3926(a)(1.1)	Theft of services-obtain telecommunications (\$50-<\$200/no threat)	M-2	2	m
3926(a)(1.1)	Theft of services-obtain telecommunications (<\$50/no threat)	M-2	2	m

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

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

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3932(a)	Theft of leased property (<=\$2,000/from indiv./by threat/breach)	M-1	3	m
3932(a)	Theft of leased property (\$200-\$2,000/no threat)	M-1	3	m
3932(a)	Theft of leased property (\$50-<\$200/no threat)	M-2	2	m
3932(a)	Theft of leased property (<\$50/no threat)	M-3	1	m
3934(a)	Theft from a motor vehicle (3rd/subsq w/in 5 yrs)	F-3	6	1
3934(a)	Theft from a motor vehicle (>\$200)	M-1	3	m
3934(a)	Theft from a motor vehicle (>=\$50-<\$200)	M-2	2	m
3934(a)	Theft from a motor vehicle (<\$50)	M-3	1	m
3935.1(a)	Theft of secondary metal (<\$50)	M-3	1	m
3935.1(a)	Theft of secondary metal (\$50-<\$200)	M-2	2	m
3935.1(a)	Theft of secondary metal (\$200-<\$1,000)	M-1	3	m
3935.1(a)	Theft of secondary metal (\$=>\$1,000)	F-3	5	1
3935.1(a)	Theft of secondary metal (third/subsq offense)	F-3	5	1
4101(a)(1)	Forgery-altered writing (money/stocks/govt docs/etc.)	F-2	4	2
4101(a)(1)	Forgery-altered writing (will//deed/other legal doc)	F-3	3	1
4101(a)(1)	Forgery-altered writing (other)	M-1	3	m
4101(a)(2)	Forgery-unauthorized writing (money/stocks/govt docs/etc.)	F-2	4	2
4101(a)(2)	Forgery-unauthorized writing (will//deed/other legal doc)	F-3	3	1
4101(a)(2)	Forgery-unauthorized writing (other)	M-1	3	m
4101(a)(3)	Forgery-utter forged writing (money/stocks/govt docs/etc.)	F-2	4	2
4101(a)(3)	Forgery-utter forged writing (will//deed/other legal doc)	F-3	3	1
4101(a)(3)	Forgery-utter forged writing (other)	M-1	3	m
4102	Simulating objects of antiquity	M-1	3	m
4103	Fraudulent destruction of recordable instruments	F-3	5	1
4104(a)	Tampering w/ records or identification	M-1	3	m
4105(a)(1)	Bad checks-issues/passes check (=>\$75,000)	F-3	5	1
4105(a)(1)	Bad checks-issues/passes check (\$1,000-<\$75,000)	M-1	3	m
4105(a)(1)	Bad checks-issues/passes check (\$500-<\$1,000)	M-2	2	m
4105(a)(1)	Bad checks-issues/passes check (\$200-<\$500)	M-3	1	m
4105(a)(1)	Bad checks--issues/passes check (3rd/subsq off & <\$75,000)	M-1	3	m
4105(a)(2)	Bad checks-issues/passes check in Commonwealth (=>\$75,000)	F-3	5	1
4105(a)(2)	Bad checks-issues/passes check in Commonwealth (\$1,000-<\$75,000)	M-1	3	m
4105(a)(2)	Bad checks-issues/passes check in Commonwealth (\$500-<\$1,000)	M-2	2	m
4105(a)(2)	Bad checks-issues/passes check in Commonwealth (\$200-<\$500)	M-3	1	m
4105(a)(2)	Bad checks-issues/passes check in Commonwealth (3rd/subsq off & <\$75,000)	M-1	3	m
4106(a)(1)(i)	Access device fraud-altered/counterfeit device (>=\$500)	F-3	5	1

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

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

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4107(a)(7)	Deceptive business practices-false statement to sell securities (>\$2,000 & victim >=60 yrs)	F-2	7	2
4107(a)(7)	Deceptive business practices-false statement to sell securities (\$200-\$2,000 & victim >=60 yrs)	F-3	5	1
4107(a)(7)	Deceptive business practices-false statement to sell securities (<\$200/amt unk & victim >=60 yrs)	M-1	3	m
4107(a)(8)	Deceptive business practices-false statement to investor (>\$2,000)	F-3	5	1
4107(a)(8)	Deceptive business practices-false statement to investor (\$200-\$2,000)	M-1	3	m
4107(a)(8)	Deceptive business practices-false statement to investor (<\$200/amt unk)	M-2	2	m
4107(a)(8)	Deceptive business practices-false statement to investor (>\$2,000 & victim >=60 yrs)	F-2	7	2
4107(a)(8)	Deceptive business practices-false statement to investor (\$200-\$2,000 & victim >=60 yrs)	F-3	5	1
4107(a)(8)	Deceptive business practices-false statement to investor (<\$200/amt unk & victim >=60 yrs)	M-1	3	m
4107(a)(9)	Deceptive business practices-false statement via phone (>\$2,000)	F-3	5	1
4107(a)(9)	Deceptive business practices-false statement via phone (\$200-\$2,000)	M-1	3	m
4107(a)(9)	Deceptive business practices-false statement via phone (<\$200/amt unk)	M-2	2	m
4107(a)(9)	Deceptive business practices-false statement via phone (>\$2,000 & victim >=60 yrs)	F-2	7	2
4107(a)(9)	Deceptive business practices-false statement via phone (\$200-\$2,000 & victim >=60 yrs)	F-3	5	1
4107(a)(9)	Deceptive business practices-false statement via phone (<\$200/amt unk & victim >=60 yrs)	M-1	3	m
4107.1(a)	Deception relating to kosher food products	M-3	1	m
4107.2(a)(1)	Deception minority/women's business-fraud to obtain certif.	F-3	4	1
4107.2(a)(2)	Deception minority/women's business-false statement to deny certif.	F-3	4	1
4107.2(a)(3)	Deception minority/women's business-obstruct investigation for certif.	F-3	4	1
4107.2(a)(4)	Deception minority/women's business-fraudulent obtain public money	F-3	4	1
4108(a)	Commercial bribery/breach of duty-corrupt employee/agent/fiduciary	M-2	2	m
4108(b)	Commercial bribery/breach of duty-corrupt disinterested person	M-2	2	m
4108(c)	Commercial bribery/breach of duty-solicitation	M-2	2	m
4109(a)(1)	Rigging publicly exhibited contest-confer benefit/threaten injury	M-1	3	m
4109(a)(2)	Rigging publicly exhibited contest-tamper w/ person/animal/thing	M-1	3	m
4109(b)	Rigging publicly exhibited contest-solicit/accept benefit for rigging	M-1	3	m
4109(c)	Rigging publicly exhibited contest-participate in rigged contest	M-1	3	m

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4110	Defrauding secured creditors	M-2	2	m
4111	Fraud in Insolvency	M-2	2	m
4111(1)	Fraud in insolvency-destroys/etc. property to obstruct creditor claim	M-2	2	m
4111(2)	Fraud in insolvency-falsify writing/record of property	M-2	2	m
4111(3)	Fraud in insolvency-knowingly misrepresent/refuse to disclose property	M-2	2	m
4112	Receiving deposits in failing financial institution	M-2	2	m
4113(a)	Misapplication of entrusted property (>\$50)	M-2	2	m
4113(a)	Misapplication of entrusted property (<=\$50)	M-3	1	m
4114	Securing execution of documents by deception	M-2	2	m
4115	Falsely impersonating persons privately employed	M-2	2	m
4116(b)(1)	Copying; recording devices-knowingly transfer sounds for profit (100+ motion pict./1000+ recordings)	F-3	5	1
4116(b)(1)	Copying; recording devices-knowingly transfer sounds for profit (100+ motion pict./1000+ recordings and 2nd/subsq off)	F-2	7	2
4116(b)(1)	Copying; recording devices-knowingly transfer sounds for profit (any other 1st off)	M-1	3	m
4116(b)(1)	Copying; recording devices-knowingly transfer sounds for profit (any other 2nd/subsq off)	F-3	5	1
4116(b)(2)	Copying; recording devices-manufacture/etc. w/ knowledge of transfer (100+ motion pict./1000+ recordings)	F-3	5	1
4116(b)(2)	Copying; recording devices-manufacture/etc. w/ knowledge of transfer (100+ motion pict./1000+ recordings and 2nd/subsq off)	F-2	7	2
4116(b)(2)	Copying; recording devices-manufacture/etc. w/ knowledge of transfer (any other 1st off)	M-1	3	m
4116(b)(2)	Copying; recording devices-manufacture/etc. w/ knowledge of transfer (any other 2nd/subsq off)	F-3	5	1
4116(d)	Copying; recording devices-sell/rent illegal recording device (100+ motion pict./1000+ recordings)	F-3	5	1
4116(d)	Copying; recording devices-sell/rent illegal recording device (100+ motion pict./1000+ recordings and 2nd/subsq off)	F-2	7	2
4116(d)	Copying; recording devices-sell/rent illegal recording device (any other 1st off)	M-1	3	m
4116(d)	Copying; recording devices-sell/rent illegal recording device (any other 2nd/subsq off)	F-3	5	1
4116(d.1)(1)	Copying; recording devices-sell/rent live recording w/o owner consent (100+ motion pict./1000+ recordings)	F-3	5	1
4116(d.1)(1)	Copying; recording devices-sell/rent live recording w/o owner consent (100+ motion pict./1000+ recordings and 2nd/subsq off)	F-2	7	2
4116(d.1)(1)	Copying; recording devices-sell/rent live recording w/o owner consent (any other 1st off)	M-1	3	m
4116(d.1)(1)	Copying; recording devices-sell/rent live recording w/o owner consent (any other 2nd/subsq off)	F-3	5	1

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4116(e)	Copying; recording devices-mfr. name on packaging (100+ motion pict./1000+ recordings)	F-3	5	1
4116(e)	Copying; recording devices-mfr. name on packaging (100+ motion pict./1000+ recordings & 2nd/subsq off)	F-2	7	2
4116(e)	Copying; recording devices-mfr. name on packaging (any other 1st off)	M-1	3	m
4116(e)	Copying; recording devices-mfr. name on packaging (any other 2nd/subsq off)	F-3	5	1
4116.1(a)	Unlawful use of recording device in movie theater (1st off)	M-1	3	m
4116.1(a)	Unlawful use of recording device in movie theater (2nd/subsq off)	F-3	4	1
4117(a)(1)	Insurance fraud-false document to gvt. agency for ins. rate	F-3	4	1
4117(a)(2)	Insurance fraud-false insurance claim	F-3	4	1
4117(a)(3)	Insurance fraud-assist/conspire/etc. in false insurance claim	F-3	4	1
4117(a)(4)	Insurance fraud-unlicensed agent activity	F-3	4	1
4117(a)(5)	Insurance fraud-knowingly benefits from proceeds	F-3	4	1
4117(a)(6)	Insurance fraud-health care facility allows insurance fraud	F-3	4	1
4117(a)(7)	Insurance fraud-borrows/uses another's ins. ID w/ intent to defraud	F-3	4	1
4117(a)(8)	Insurance fraud-direct/indirect solicitation for pecuniary gain	F-3	4	1
4117(b)(1)	Insurance fraud-unlawful compensation by attorney	M-1	3	m
4117(b)(2)	Insurance fraud-unlawful compensation by provider	M-1	3	m
4117(b)(3)	Insurance fraud-unlawful compensation for patient referral	M-1	3	m
4117(b)(4)	Insurance fraud-false insurance application	M-1	3	m
4118	Washing vehicle titles	F-3	4	1
4119(a)(1)	Trademark counterfeiting-mfr.	M-1	3	m
4119(a)(1)	Trademark counterfeiting-mfr. (prev conv/>100 items-<1000 items/>\$2,000-<\$10,000 value)	F-3	5	1
4119(a)(1)	Trademark counterfeiting-mfr. (2+ prev conv/mfr. of items/>=1000 items/>\$10,000 value)	F-2	7	2
4119(a)(2)	Trademark counterfeiting-sells	M-1	3	m
4119(a)(2)	Trademark counterfeiting-sells (prev conv/>100 items-<1000 items/>\$2,000-<\$10,000 value)	F-3	5	1
4119(a)(2)	Trademark counterfeiting-sells (2+ prev conv/mfr. of items/>=1000 items/>\$10,000 value)	F-2	7	2
4119(a)(3)	Trademark counterfeiting-offers for sale	M-1	3	m
4119(a)(3)	Trademark counterfeiting-offers for sale (prev conv/>100 items-<1000 items/>\$2,000-<\$10,000 value)	F-3	5	1
4119(a)(3)	Trademark counterfeiting-offers for sale (2+ prev conv/mfr. of items/>=1000 items/>\$10,000 value)	F-2	7	2
4119(a)(4)	Trademark counterfeiting-displays	M-1	3	m
4119(a)(4)	Trademark counterfeiting-displays (prev conv/>100 items-<1000 items/>\$2,000-<\$10,000 value)	F-3	5	1

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4119(a)(4)	Trademark counterfeiting-displays (2+ prev conv/mfr. of items/>=1000 items/>\$10,000 value)	F-2	7	2
4119(a)(5)	Trademark counterfeiting-advertises	M-1	3	m
4119(a)(5)	Trademark counterfeiting-advertises (prev conv/>100 items-<1000 items/>\$2,000-<\$10,000 value)	F-3	5	1
4119(a)(5)	Trademark counterfeiting-advertises (2+ prev conv/mfr. of items/>=1000 items/>\$10,000 value)	F-2	7	2
4119(a)(6)	Trademark counterfeiting-distributes	M-1	3	m
4119(a)(6)	Trademark counterfeiting-distributes (prev conv/>100 items-<1000 items/>\$2,000-<\$10,000 value)	F-3	5	1
4119(a)(6)	Trademark counterfeiting-distributes (2+ prev conv/mfr. of items/>=1000 items/>\$10,000 value)	F-2	7	2
4119(a)(7)	Trademark counterfeiting-transport	M-1	3	m
4119(a)(7)	Trademark counterfeiting-transport (prev conv/>100 items-<1000 items/>\$2,000-<\$10,000 value)	F-3	5	1
4119(a)(7)	Trademark counterfeiting-transport (2+ prev conv/mfr. of items/>=1000 items/>\$10,000 value)	F-2	7	2
4120(a)	Identity theft (>=\$2,000)	F-3	5	1
4120(a)	Identity theft (<\$2,000)	M-1	3	m
4120(a)	Identity theft (3rd/subsq off)	F-2	7	2
4120(a)	Identity theft (furtherance of conspiracy)	F-3	5	1
4120(a)	Identity theft (>=\$2,000 and victim >=60 yrs/care-dependent)	F-2	7	2
4120(a)	Identity theft (<\$2,000 and victim >=60 yrs/care-dependent)	F-3	5	1
4120(a)	Identity theft (3rd/subsq off and victim >=60 yrs/care-dependent)	F-1	8	3
4120(a)	Identity theft (furtherance of conspiracy and victim >=60 yrs/care-dependent)	F-2	7	2
4120(a)	Identity theft (<\$2,000 and victim <18 yrs)	F-3	5	1
4120(a)	Identity theft (>=\$2,000 and victim <18 yrs)	F-2	7	2
4120(a)	Identity theft (3rd/subsq off and victim <18 yrs)	F-1	8	3
4120(a)	Identity theft (furtherance of conspiracy and victim <18 yrs)	F-2	7	2
<u>4121(a)(1)(i)</u>	<u>Possession and use of unlawful device-intent to defraud (access, read, etc.)</u>	<u>F-3</u>	<u>5</u>	<u>1</u>
<u>4121(a)(1)(i)</u>	<u>Possession and use of unlawful device-intent to defraud (access, read, etc.) (2nd/subsq offense)</u>	<u>F-2</u>	<u>7</u>	<u>2</u>
<u>4121(a)(1)(ii)</u>	<u>Possession and use of unlawful device-intent to defraud (places information)</u>	<u>F-3</u>	<u>5</u>	<u>1</u>
<u>4121(a)(1)(ii)</u>	<u>Possession and use of unlawful device-intent to defraud (places information) (2nd/subsq offense)</u>	<u>F-2</u>	<u>7</u>	<u>2</u>
<u>4121(a)(2)</u>	<u>Possession and use of unlawful device-knowingly possesses, sells or delivers device</u>	<u>F-3</u>	<u>5</u>	<u>1</u>

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<u>4121(a)(2)</u>	Possession and use of unlawful device-knowingly possesses, sells or delivers device (2nd/subsq offense)	<u>F-2</u>	<u>7</u>	<u>2</u>
4301(a)	Bigamy (by married person)	M-2	3	m
4301(b)	Bigamy (knowing other person committing bigamy)	M-2	3	m
4302(a)	Incest (victim >18 yrs.)	F-2	9	4
4302(b)(1)	Incest-of a minor (victim <13 yrs.)	F-2	9	4
4302(b)(2)	Incest-of a minor (victim 13-18 yrs. and offender at least 4 yrs. older)	F-2	9	4
4303(a)	Concealing death of child	M-1	3	m
4304(a)(1)	Endangering welfare of children-violate duty of care	M-1	5	1
<u>4304(a)(1)</u>	<u>Endangering welfare of children-violate duty of care (child <6 yrs)</u>	<u>F-3</u>	<u>6</u>	<u>1</u>
4304(a)(1)	Endangering welfare of children-violate duty of care (course of conduct)	F-3	6	1
<u>4304(a)(1)</u>	<u>Endangering welfare of children-violate duty of care (course of conduct & child <6 yrs)</u>	<u>F-2</u>	<u>8</u>	<u>2</u>
<u>4304(a)(1)</u>	<u>Endangering welfare of children-violate duty of care: substantial risk of death/SBI</u>	<u>F-3</u>	<u>6</u>	<u>1</u>
<u>4304(a)(1)</u>	<u>Endangering welfare of children-violate duty of care: substantial risk of death/SBI (child <6 yrs)</u>	<u>F-2</u>	<u>8</u>	<u>2</u>
<u>4304(a)(1)</u>	<u>Endangering welfare of children-violate duty of care: substantial risk of death/SBI (course of conduct)</u>	<u>F-2</u>	<u>8</u>	<u>2</u>
<u>4304(a)(1)</u>	<u>Endangering welfare of children-violate duty of care: substantial risk of death/SBI (course of conduct & child <6 yrs)</u>	<u>F-1</u>	<u>9</u>	<u>3</u>
4304(a)(2)	Endangering welfare of children-official prevents/interferes w/ reporting	M-1	5	1
<u>4304(a)(2)</u>	<u>Endangering welfare of children-official prevents/interferes w/ reporting (child <6 yrs)</u>	<u>F-3</u>	<u>6</u>	<u>1</u>
4304(a)(2)	Endangering welfare of children-official prevents/interferes w/ reporting (course of conduct)	F-3	6	1
<u>4304(a)(2)</u>	<u>Endangering welfare of children-official prevents/interferes w/ reporting (course of conduct & child <6 yrs)</u>	<u>F-2</u>	<u>8</u>	<u>2</u>
4305	Dealing in infant children	M-1	4	1
4701(a)(1)	Bribery in official & political matters-pecuniary benefit as public servant	F-3	5	1
4701(a)(2)	Bribery in official & political matters-benefit for judicial/admin./legis. proceedings	F-3	5	1
4701(a)(3)	Bribery in official & political matters-benefit for legal duty as public servant	F-3	5	1
4702(a)(1)	Threats-to influence decision as public servant	M-2	2	m
4702(a)(1)	Threats-to influence decision as public servant (threat to commit crime)	F-3	5	1
4702(a)(2)	Threats-to influence decision in judicial/admin. proceedings	M-2	2	m
4702(a)(2)	Threats-to influence decision in judicial/admin. proceedings (threat to commit crime)	F-3	5	1
4702(a)(3)	Threats-harm for legal duty as public servant	M-2	2	m

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

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

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4915.1(a.1)(2)	Fail to verify address/be photo'd: transient-25 yr. registration (1st off)	F-2	8	2
4915.1(a.1)(2)	Fail to verify address/be photo'd: transient-25 yr. registration (2nd/subsq off)	F-1	10	3
4915.1(a.1)(2)	Fail to verify address/be photo'd: transient-lifetime registration (1st off)	F-2	8	2
4915.1(a.1)(2)	Fail to verify address/be photo'd: transient-lifetime registration (2nd/subsq off)	F-1	10	3
4915.1(a.1)(3)	Fail to provide accurate info.: transient-15 yr. registration	F-2	8	2
4915.1(a.1)(3)	Fail to provide accurate info.: transient-25 yr. registration	F-1	10	3
4915.1(a.1)(3)	Fail to provide accurate info.: transient-lifetime registration	F-1	10	3
4915.1(a.2)(1)	Fail to comply w/ SVP outpatient review/counseling	M-1	5	m
4915.1(a.2)(2)	Fail to comply w/ counseling req. from other jurisdiction	M-1	5	m
<u>4915.2(a)(1)</u>	<u>Fail to register - 10 year registration</u>	<u>F-3</u>	<u>6</u>	<u>1</u>
<u>4915.2(a)(1)</u>	<u>Fail to register - 10 year registration (2nd/subsq off)</u>	<u>F-2</u>	<u>8</u>	<u>2</u>
<u>4915.2(a)(1)</u>	<u>Fail to register - lifetime registration</u>	<u>F-2</u>	<u>8</u>	<u>2</u>
<u>4915.2(a)(1)</u>	<u>Fail to register - lifetime registration (2nd/subsq off)</u>	<u>F-1</u>	<u>10</u>	<u>3</u>
<u>4915.2(a)(2)</u>	<u>Fail to verify address/be photographed - 10 year registration</u>	<u>F-3</u>	<u>6</u>	<u>1</u>
<u>4915.2(a)(2)</u>	<u>Fail to verify address/be photographed - 10 year registration (2nd/subsq off)</u>	<u>F-2</u>	<u>8</u>	<u>2</u>
<u>4915.2(a)(2)</u>	<u>Fail to verify address/be photographed - lifetime registration</u>	<u>F-2</u>	<u>8</u>	<u>2</u>
<u>4915.2(a)(2)</u>	<u>Fail to verify address/be photographed - lifetime registration (2nd/subsq off)</u>	<u>F-1</u>	<u>10</u>	<u>3</u>
<u>4915.2(a)(3)</u>	<u>Fail to provide accurate information - 10 year registration</u>	<u>F-2</u>	<u>8</u>	<u>2</u>
<u>4915.2(a)(3)</u>	<u>Fail to provide accurate information - lifetime registration</u>	<u>F-1</u>	<u>10</u>	<u>3</u>
<u>4915.2(a.1)(1)</u>	<u>Fail to comply with SVP counseling requirements</u>	<u>M-1</u>	<u>5</u>	<u>m</u>
<u>4915.2(a.1)(2)</u>	<u>Fail to comply with SVP counseling requirements (another jurisdiction)</u>	<u>M-1</u>	<u>5</u>	<u>m</u>
4952(a)(1)	Intimidation of witness/victim-refrain from reporting (listed factor & F-1/Murder 1 or 2)	F-1	11	4
4952(a)(1)	Intimidation of witness/victim-refrain from reporting (listed factor & F-2)	F-2	9	2
4952(a)(1)	Intimidation of witness/victim-refrain from reporting (listed factor)	F-3	7	1
4952(a)(1)	Intimidation of witness/victim-refrain from reporting (general)	M-2	5	m
4952(a)(2)	Intimidation of witness/victim-false/misleading info. (listed factor & F-1/Murder 1 or 2)	F-1	11	4
4952(a)(2)	Intimidation of witness/victim-false/misleading info. (listed factor & F-2)	F-2	9	2

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4952(a)(2)	Intimidation of witness/victim-false/misleading info. (listed factor)	F-3	7	1
4952(a)(2)	Intimidation of witness/victim-false/misleading info. (general)	M-2	5	m
4952(a)(3)	Intimidation of witness/victim-Withhold Information, (listed factor & F-1/Murder 1 or 2)	F-1	11	4
4952(a)(3)	Intimidation of witness/victim-withhold info. (listed factor & F-2)	F-2	9	2
4952(a)(3)	Intimidation of witness/victim-withhold info. (listed factor)	F-3	7	1
4952(a)(3)	Intimidation of witness/victim-withhold info. (general)	M-2	5	m
4952(a)(4)	Intimidation of witness/victim-false info/refuse testimony (listed factor & F-1/Murder 1 or 2)	F-1	11	4
4952(a)(4)	Intimidation of witness/victim-false info/refuse testimony (listed factor & F-2)	F-2	9	2
4952(a)(4)	Intimidation of witness/victim-false info/refuse testimony (listed factor)	F-3	7	1
4952(a)(4)	Intimidation of witness/victim-false info/refuse testimony (general)	M-2	5	m
4952(a)(5)	Intimidation of witness/victim-evade/ignore summons (listed factor & F-1/Murder 1 or 2)	F-1	11	4
4952(a)(5)	Intimidation of witness/victim-evade/ignore summons (listed factor & F-2)	F-2	9	2
4952(a)(5)	Intimidation of witness/victim-evade/ignore summons (listed factor)	F-3	7	1
4952(a)(5)	Intimidation of witness/victim-evade/ignore summons (general)	M-2	5	m
4952(a)(6)	Intimidation of witness/victim-absent from proceeding, (listed factor & F-1/Murder 1 or 2)	F-1	11	4
4952(a)(6)	Intimidation of witness/victim-absent from proceeding (listed factor & F-2)	F-2	9	2
4952(a)(6)	Intimidation of witness/victim-absent from proceeding (listed factor)	F-3	7	1
4952(a)(6)	Intimidation of witness/victim-absent from proceeding (general)	M-2	5	m
4953(a)	Retaliation against witness/victim-listed factor	F-3	8	1
4953(a)	Retaliation against witness/victim-general	M-2	5	m
4953.1(a)	Retaliation against prosecutor/judicial official-listed factor	F-2	9	2
4953.1(a)	Retaliation against prosecutor/judicial official-general	M-1	6	m
4958(a)(1)	Intimidation child abuse case-knowledge/intent to impede, etc.	M-2	5	m
4958(a)(1)	Intimidation child abuse case-knowledge/intent to impede, etc. (force, etc.)	F-2	7	2
4958(a)(1)	Intimidation child abuse case-knowledge/intent to impede, etc. (benefit)	F-2	7	2
4958(a)(1)	Intimidation child abuse case-knowledge/intent to impede, etc. (furtherance consp)	F-2	7	2
4958(a)(1)	Intimidation child abuse case-knowledge/intent to impede, etc. (other person)	F-2	7	2

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4958(a)(1)	Intimidation child abuse case-knowledge/intent to impede, etc. (prior conv)	F-2	7	2
4958(a)(2)(i)	Intimidation child abuse cases-intimidate/attempt refrain from/cause not report	M-2	5	m
4958(a)(2)(i)	Intimidation child abuse cases-intimidate/attempt refrain from/cause not report (force, etc.)	F-2	7	2
4958(a)(2)(i)	Intimidation child abuse cases-intimidate/attempt refrain from/cause not report (benefit)	F-2	7	2
4958(a)(2)(i)	Intimidation child abuse cases-intimidate/attempt refrain from/cause not report (furtherance consp)	F-2	7	2
4958(a)(2)(i)	Intimidation child abuse cases-intimidate/attempt refrain from/cause not report (other person)	F-2	7	2
4958(a)(2)(i)	Intimidation child abuse cases-intimidate/attempt refrain from/cause not report (prior conv)	F-2	7	2
4958(a)(2)(ii)	Intimidation child abuse cases-intimidate/attempt withhold information	M-2	5	m
4958(a)(2)(ii)	Intimidation child abuse cases-intimidate/attempt withhold information (force, etc.)	F-2	7	2
4958(a)(2)(ii)	Intimidation child abuse cases-intimidate/attempt withhold information (benefit)	F-2	7	2
4958(a)(2)(ii)	Intimidation child abuse cases-intimidate/attempt withhold information (furtherance consp)	F-2	7	2
4958(a)(2)(ii)	Intimidation child abuse cases-intimidate/attempt withhold information (other person)	F-2	7	2
4958(a)(2)(ii)	Intimidation child abuse cases-intimidate/attempt withhold information (prior conv)	F-2	7	2
4958(a)(2)(iii)	Intimidation child abuse cases-intimidate/attempt false/misleading information	M-2	5	m
4958(a)(2)(iii)	Intimidation child abuse cases-intimidate/attempt false/misleading information (force, etc.)	F-2	7	2
4958(a)(2)(iii)	Intimidation child abuse cases-intimidate/attempt false/misleading information (benefit)	F-2	7	2
4958(a)(2)(iii)	Intimidation child abuse cases-intimidate/attempt false/misleading information (furtherance consp)	F-2	7	2
4958(a)(2)(iii)	Intimidation child abuse cases-intimidate/attempt false/misleading information (other person)	F-2	7	2
4958(a)(2)(iii)	Intimidation child abuse cases-intimidate/attempt false/misleading information (prior conv)	F-2	7	2
4958(a)(2)(iv)	Intimidation child abuse cases-intimidate/attempt evade etc. request/legal process	M-2	5	m
4958(a)(2)(iv)	Intimidation child abuse cases-intimidate/attempt evade etc. request/legal process (force)	F-2	7	2
4958(a)(2)(iv)	Intimidation child abuse cases-intimidate/attempt evade etc. request/legal process (benefit)	F-2	7	2
4958(a)(2)(iv)	Intimidation child abuse cases-intimidate/attempt evade etc. request/legal process (furtherance consp)	F-2	7	2
4958(a)(2)(iv)	Intimidation child abuse cases-intimidate/attempt evade etc. request/legal process (other person)	F-2	7	2
4958(a)(2)(iv)	Intimidation child abuse cases-intimidate/attempt evade etc. request/legal process (prior conv)	F-2	7	2
4958(a)(2)(v)	Intimidation child abuse cases-intimidate/attempt fail appear/participate legal process	M-2	5	m

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4958(a)(2)(v)	Intimidation child abuse cases-intimidate/attempt fail appear/participate legal process (force)	F-2	7	2
4958(a)(2)(v)	Intimidation child abuse cases-intimidate/attempt fail appear/participate legal process (benefit)	F-2	7	2
4958(a)(2)(v)	Intimidation child abuse cases-intimidate/attempt fail appear/participate legal process (furtherance consp)	F-2	7	2
4958(a)(2)(v)	Intimidation child abuse cases-intimidate/attempt fail appear/participate legal process (other person)	F-2	7	2
4958(a)(2)(v)	Intimidation child abuse cases-intimidate/attempt fail appear/participate legal process (prior conv)	F-2	7	2
4958(b)	Retaliation child abuse cases	M-2	5	m
4958(b)	Retaliation child abuse cases (force)	F-2	8	2
4958(b)	Retaliation child abuse cases (benefit)	F-2	8	2
4958(b)	Retaliation child abuse cases (furtherance consp)	F-2	8	2
4958(b)	Retaliation child abuse cases (other person)	F-2	8	2
4958(b)	Retaliation child abuse cases (prior conv)	F-2	8	2
4958(b.1)	Obstruction child abuse cases	M-2	5	m
4958(b.1)	Obstruction child abuse cases (force)	F-2	7	2
4958(b.1)	Obstruction child abuse cases (benefit)	F-2	7	2
4958(b.1)	Obstruction child abuse cases (furtherance consp)	F-2	7	2
4958(b.1)	Obstruction child abuse cases (other person)	F-2	7	2
4958(b.1)	Obstruction child abuse cases (prior conv)	F-2	7	2
5101	Obstructing admin. of law/other govt. function	M-2	3	m
5102(a)	Obstructing/impeding justice by picketing	M-2	2	m
5103	Unlawfully listening into deliberations of jury	M-3	1	m
5103.1	<u>Use or operate device to capture, record, etc. photograph, video, etc. of proceeding or person in judicial facility or area</u>	<u>M-2</u>	<u>2</u>	<u>m</u>
5103.1	<u>Use or operate device to capture, record, etc. photograph, video, etc. of proceeding or person in judicial facility or area (2nd/subsq)</u>	<u>M-1</u>	<u>3</u>	<u>m</u>
5104	Resisting arrest, etc.	M-2	2	m
5104.1(a)	Disarming law enforcement officer	F-3	5	1
5105(a)(1)	Hindering apprehension-harbors/conceals	M-2	2	m
5105(a)(1)	Hindering apprehension-harbors/conceals (charge is F1/F2)	F-3	4	1
5105(a)(2)	Hindering apprehension-provides aid to avoid apprehension	M-2	2	m
5105(a)(2)	Hindering apprehension-provides aid to avoid apprehension (charge is F1/F2)	F-3	4	1
5105(a)(3)	Hindering apprehension-conceal/destroy evidence	M-2	2	m
5105(a)(3)	Hindering apprehension-conceal/destroy evidence (charge is F1/F2)	F-3	4	1
5105(a)(4)	Hindering apprehension-warn of apprehension	M-2	2	m
5105(a)(4)	Hindering apprehension-warn of apprehension (charge is F1/F2)	F-3	4	1
5105(a)(5)	Hindering apprehension-false info. to law enforcement ofc.	M-2	2	m

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

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5131(a)(2)	Recruiting criminal gang member-inflct BI/physical menace/force (recruitee <16 yrs)	F-3	5	1
5131(a)(3)	Recruiting criminal gang member-inflct SBI (recruitee >=16 yrs)	F-3	5	1
5131(a)(3)	Recruiting criminal gang member-inflct SBI (recruitee <16 yrs)	F-2	7	2
5301(1)	Official oppression-subjects another to arrest, etc.	M-2	2	m
5301(2)	Official oppression-denies another enjoyment of rights	M-2	2	m
5302(1)	Speculating/wagering on official action-acquires pecuniary interest	M-2	2	m
5302(2)	Speculating/wagering on official action-speculates on information	M-2	2	m
5302(3)	Speculating/wagering on official action-aids another	M-2	2	m
5501(1)	Riot-intent to commit felony/misd.	F-3	4	1
5501(2)	Riot-intent to prevent/coerce official action	F-3	4	1
5501(3)	Riot-actor/other plans to use deadly weapon	F-3	4	1
5502	Failure to disperse upon official order	M-2	2	m
5503(a)(1)	Disorderly conduct-frightening/threatening behavior (substantial harm/persist after warning)	M-3	1	m
5503(a)(2)	Disorderly conduct-unreasonable noise (substantial harm/persist after warning)	M-3	1	m
5503(a)(3)	Disorderly conduct-obscene language (substantial harm/persist after warning)	M-3	1	m
5503(a)(4)	Disorderly conduct-hazardous condition (substantial harm/persist after warning)	M-3	1	m
5506	Loitering and prowling at night time	M-3	1	m
5507(a)	Obstructing highway, etc.-after warning	M-3	1	m
5508	Disrupting meetings and processions	M-3	1	m
5509(a)(1)	Desecration of venerated objects-intentional (public monument, etc.)	M-2	2	m
5509(a)(2)	Desecration of venerated objects-intentional (object of veneration)	M-2	2	m
5509(a)(3)	Desecration of venerated objects-sell veteran's marker	M-2	2	m
5509(a.1)	Desecration of venerated objects-historic burial lots	M-1	3	m
5510	Abuse of corpse	M-2	3	m
[5511(a)(1)]	[Cruelty to animals-own dog that injures service dog]	[M-3]	[1]	[m]
[5511(a)(1)(i)]	[Cruelty to animals-kill/maim domestic animal]	[M-2]	[3]	[m]
[5511(a)(1)(ii)]	[Cruelty to animals-poisons domestic animal]	[M-2]	[3]	[m]
[5511(a)(1)(iii)]	[Cruelty to animals-harasses/injure etc. service/guide dog]	[M-2]	[3]	[m]
[5511(a)(2)(i)]	[Cruelty to animals-kill/maim zoo animal]	[F-3]	[5]	[1]
[5511(a)(2)(ii)]	[Cruelty to animals-poison zoo animal]	[F-3]	[5]	[1]
[5511(a)(2.1)(i)(a)]	[Cruelty to animals-kill/maim dog/cat/service dog (1st off)]	[M-1]	[3]	[m]
[5511(a)(2.1)(i)(a)]	[Cruelty to animals-kill/maim dog/cat/service dog (2nd/subsq off)]	[F-3]	[5]	[1]

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[5511(a)(2.1)(i)(b)]	[Cruelty to animals-poison dog/cat (1st off)]	[M-1]	[3]	[m]
[5511(a)(2.1)(i)(b)]	[Cruelty to animals-poison dog/cat (2nd/subsq off)]	[F-3]	[5]	[1]
[5511(c)(1)]	[Cruelty to animals-neglect/mistreat animal in care (2nd/subsq off)]	[M-3]	[1]	[m]
[5511(e.1)]	[Cruelty to animals-transport equines in cruel manner (2nd/subsq off)]	[M-3]	[1]	[m]
[5511(h.1)(1)]	[Cruelty to animals-animal fighting (for amusement/gain)]	[F-3]	[5]	[1]
[5511(h.1)(2)]	[Cruelty to animals-animal fighting (receives compensation)]	[F-3]	[5]	[1]
[5511(h.1)(3)]	[Cruelty to animals-animal fighting (owns fighting animal)]	[F-3]	[5]	[1]
[5511(h.1)(4)]	[Cruelty to animals-animal fighting (encourage/aid/assist)]	[F-3]	[5]	[1]
[5511(h.1)(5)]	[Cruelty to animals-animal fighting (wagers on fight outcome)]	[F-3]	[5]	[1]
[5511(h.1)(6)]	[Cruelty to animals-animal fighting (pays admission)]	[F-3]	[5]	[1]
[5511(h.1)(7)]	[Cruelty to animals-animal fighting (permits use of animal for fight)]	[F-3]	[5]	[1]
[5511(h.2)]	[Cruelty to animals-possess animal fighting paraphernalia]	[M-3]	[1]	[m]
[5511.2(a)]	[Police animals-illegal to taunt]	[F-3]	[5]	[1]
[5511.2(b)]	[Police animals-illegal to torture]	[F-2]	[7]	[2]
[5511.3]	[Assault w/ biological agent on animal/fowl/honey bee]	[F-2]	[7]	[2]
<u>5532(a)(1)*</u>	<u>Neglect of animal-fails to provide sustenance/water (cause BI/risk SBI)</u>	<u>M-3</u>	<u>1</u>	<u>m</u>
<u>5532(a)(1)*</u>	<u>Neglect of animal-violates 5536 tethering an unattended dog (cause BI/risk SBI)</u>	<u>M-3</u>	<u>1</u>	<u>m</u>
<u>5532(a)(2)</u>	<u>Neglect of animal-fails to provide shelter (cause BI/risk SBI)</u>	<u>M-3</u>	<u>1</u>	<u>m</u>
<u>5532(a)(3)</u>	<u>Neglect of animal-fails to provide veterinary care (cause BI/risk SBI)</u>	<u>M-3</u>	<u>1</u>	<u>m</u>
<u>5533(a)*</u>	<u>Cruelty to animal-abuse, abandon, etc. (cause BI/risk SBI)</u>	<u>M-2</u>	<u>2</u>	<u>m</u>
<u>5533(a)*</u>	<u>Cruelty to animal-abuse, abandon, etc.: violates 5542(a) animal mutilation cropping of ear (cause BI/risk SBI)</u>	<u>M-2</u>	<u>2</u>	<u>m</u>
<u>5533(a)*</u>	<u>Cruelty to animal-abuse, abandon, etc.: violates 5542(b) animal mutilation debarking (cause BI/risk SBI)</u>	<u>M-2</u>	<u>2</u>	<u>m</u>
<u>5533(a)*</u>	<u>Cruelty to animal-abuse, abandon, etc.: violates 5542(c) animal mutilation docking of tail (cause BI/risk SBI)</u>	<u>M-2</u>	<u>2</u>	<u>m</u>
<u>5533(a)*</u>	<u>Cruelty to animal-abuse, abandon, etc.: violates 5542(d) animal mutilation surgical birth (cause BI/risk SBI)</u>	<u>M-2</u>	<u>2</u>	<u>m</u>
<u>5533(a)*</u>	<u>Cruelty to animal-abuse, abandon, etc.: violates 5542(e) animal mutilation dewclawing (cause BI/risk SBI)</u>	<u>M-2</u>	<u>2</u>	<u>m</u>
<u>5534(a)(1)</u>	<u>Aggravated cruelty to animal-tortures animal</u>	<u>F-3</u>	<u>5</u>	<u>1</u>

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5534(a)(2)*	<u>Aggravated cruelty to animal-violates 5532 (cause SBI/death)</u>	F-3	6	1
5534(a)(2)*	<u>Aggravated cruelty to animal-violates 5533 (cause SBI/death)</u>	F-3	6	1
5535(a)	<u>Attack of service, guide, or support dog</u>	M-3	1	m
5539	<u>Transporting equine animals in cruel manner (2nd/subsq)</u>	M-3	1	m
5543(1)	<u>Animal fighting (for amusement/gain)</u>	F-3	5	1
5543(2)	<u>Animal fighting (receives compensation)</u>	F-3	5	1
5543(3)	<u>Animal fighting (owns fighting animal)</u>	F-3	5	1
5543(4)	<u>Animal fighting (encourage/aid/assist)</u>	F-3	5	1
5543(5)	<u>Animal fighting (wagers on fight outcome)</u>	F-3	5	1
5543(6)	<u>Animal fighting (pays admission)</u>	F-3	5	1
5543(7)	<u>Animal fighting (permits use of animal for fight)</u>	F-3	5	1
5544	<u>Possession of animal fighting paraphernalia</u>	M-3	1	m
5548(a)	<u>Police animals-illegal to taunt</u>	F-3	5	1
5548(b)	<u>Police animals-illegal to torture</u>	F-2	7	2
5549(a)	<u>Assault with biological agent on animal/fowl/honey bees</u>	F-2	7	2
5512(b)(1)	Lotteries-set up unlawful game	M-1	3	m
5512(b)(2)	Lotteries-manuf./etc. unlawful tickets	M-1	3	m
5512(b)(3)	Lotteries-publish advertisement	M-1	3	m
5513(a)(1)	Gambling devices-intentionally makes gambling device	M-1	3	m
5513(a)(2)	Gambling devices-allows assemble for gambling	M-1	3	m
5513(a)(3)	Gambling devices-solicits/invites person for gambling	M-1	3	m
5513(a)(4)	Gambling devices-allows gambling on premises	M-1	3	m
5513(a.1)(1)	Gambling devices-electronic video monitor: indirect or direct consideration	M-1	3	m
5513(a.1)(2)	Gambling devices-electronic video monitor: player eligible for prize	M-1	3	m
5514(1)	Pool selling and bookmaking-engage in	M-1	3	m
5514(2)	Pool selling and bookmaking-occupy place	M-1	3	m
5514(3)	Pool selling and bookmaking-receives bet on political outcome	M-1	3	m
5514(4)	Pool selling and bookmaking-custodian of property wagered (for gain)	M-1	3	m
5514(5)	Pool selling and bookmaking-knowingly permit premises to be used	M-1	3	m
5515(b)(1)	Prohibiting of paramilitary training-teaching	M-1	3	m
5515(b)(2)	Prohibiting of paramilitary training-assembles for training	M-1	3	m
5516(a)(1)	Facsimile weapons of mass destruction-terrifying/ etc. individual	F-3	5	1
5516(a)(2)(i)	Facsimile weapons of mass destruction-reaction of org. wh/ deals w/ emergency	F-3	5	1
5516(a)(2)(ii)	Facsimile weapons of mass destruction-reaction of law enforcement agency	F-3	5	1

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5516(a)(3)	Facsimile weapons of mass destruction-serious public inconvenience	F-3	5	1
5517(a)	Unauthorized school bus entry	M-3	1	m
5703	Interception of wire/oral communication	F-3	5	1
5703(1)	Interception of wire/oral communication-intentionally intercepts	F-3	5	1
5703(2)	Interception of wire/oral communication-discloses contents	F-3	5	1
5703(3)	Interception of wire/oral communication-use contents	F-3	5	1
5705(1)	Possess/etc. of interception devices-intentionally possess/etc.	F-3	5	1
5705(2)	Possess/etc. of interception devices-intentionally sells/etc.	F-3	5	1
5705(3)	Possess/etc. of interception devices-intentionally manufactures/etc.	F-3	5	1
5705(4)	Possess/etc. of interception devices-intentionally advertises/etc.	F-3	5	1
5719	Unlawful use of order concerning intercepted communications	M-2	2	m
5741(a)(1)	Unlawf. access stored communications-access w/o authority-for gain (1st off)	M-3	1	m
5741(a)(1)	Unlawf. access stored communications-access w/o authority-for gain (2nd/subsq off)	M-2	2	m
5741(a)(2)	Unlawf. access stored communications-exceed authorization-for gain (1st off)	M-3	1	m
5741(a)(2)	Unlawf. access stored communications-exceed authorization-for gain (2nd/subsq off)	M-2	2	m
5771(a)	Prohibit pen register & trap/trace device	M-3	1	m
5901	Open lewdness	M-3	1	m
5902(a)(1)	Prostitution-business (1st/2nd off)	M-3	1	m
5902(a)(1)	Prostitution-business (3rd off)	M-2	3	m
5902(a)(1)	Prostitution-business (4th/subsq off)	M-1	4	m
5902(a)(1)	Prostitution-business (HIV positive/AIDS)	F-3	7	1
5902(a)(2)	Prostitution (1st/2nd off)	M-3	1	m
5902(a)(2)	Prostitution (3rd off)	M-2	3	m
5902(a)(2)	Prostitution (4th/subsq off)	M-1	4	m
5902(a)(2)	Prostitution (HIV positive/AIDS)	F-3	7	1
5902(b)(1)	Promoting prostitution-own house/business	F-3	5	1
5902(b)(2)	Promoting prostitution-procure prostitute for house	F-3	5	1
5902(b)(3)	Promoting prostitution-encourage prostitution	F-3	5	1
5902(b)(4)	Promoting prostitution-solicit patron	M-2	3	m
5902(b)(4)	Promoting prostitution-solicit patron (compel)	F-3	5	1
5902(b)(4)	Promoting prostitution-solicit patron (HIV positive/AIDS)	F-3	5	1
5902(b)(4)	Promoting prostitution-solicit patron (spouse/child/ward)	F-3	5	1
5902(b)(5)	Promoting prostitution-procure prostitute	M-2	3	m
5902(b)(5)	Promoting prostitution-procure prostitute (compel)	F-3	5	1

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5902(b)(5)	Promoting prostitution-procure prostitute (HIV positive/AIDS)	F-3	5	1
5902(b)(5)	Promoting prostitution-procure prostitute (spouse/child/ward)	F-3	5	1
5902(b)(6)	Promoting prostitution-transport prostitute	M-2	3	m
5902(b)(6)	Promoting prostitution-transport prostitute (compel)	F-3	5	1
5902(b)(6)	Promoting prostitution-transport prostitute (HIV positive/AIDS)	F-3	5	1
5902(b)(6)	Promoting prostitution-transport prostitute (spouse/child/ward)	F-3	5	1
5902(b)(7)	Promoting prostitution-provide place for prostitution	M-2	3	m
5902(b)(7)	Promoting prostitution-provide place for prostitution (compel)	F-3	5	1
5902(b)(7)	Promoting prostitution-provide place for prostitution (HIV positive/AIDS)	F-3	5	1
5902(b)(7)	Promoting prostitution-provide place for prostitution (spouse/child/ward)	F-3	5	1
5902(b)(8)	Promoting prostitution-receive benefit	M-2	3	m
5902(b)(8)	Promoting prostitution-receive benefit (compel)	F-3	5	1
5902(b)(8)	Promoting prostitution-receive benefit (HIV positive/AIDS)	F-3	5	1
5902(b)(8)	Promoting prostitution-receive benefit (spouse/child/ward)	F-3	5	1
5902(b.1)(1)*	Promoting prostitution of minor-business (16-<18 yrs)	F-3	6	1
5902(b.1)(1)*	Promoting prostitution of minor-business (<16 yrs)	F-3	8	1
5902(b.1)(2)*	Promoting prostitution of minor-procure (16-<18 yrs)	F-3	6	1
5902(b.1)(2)*	Promoting prostitution of minor-procure (<16 yrs)	F-3	8	1
5902(b.1)(3)*	Promoting prostitution of minor-induce (16-<18 yrs)	F-3	6	1
5902(b.1)(3)*	Promoting prostitution of minor-induce (<16 yrs)	F-3	8	1
5902(b.1)(4)*	Promoting prostitution of minor-solicit minor to patronize (16-<18 yrs)	F-3	6	1
5902(b.1)(4)*	Promoting prostitution of minor-solicit minor to patronize (<16 yrs)	F-3	8	1
5902(b.1)(5)*	Promoting prostitution of minor-procure minor prostitute for patron (16-<18 yrs)	F-3	6	1
5902(b.1)(5)*	Promoting prostitution of minor-procure minor prostitute for patron (<16 yrs)	F-3	8	1
5902(b.1)(6)*	Promoting prostitution of minor-transport minor for prostitution (16-<18 yrs)	F-3	6	1
5902(b.1)(6)*	Promoting prostitution of minor-transport minor for prostitution (<16 yrs)	F-3	8	1
5902(b.1)(7)*	Promoting prostitution of minor-provide place for prostitution (16-<18 yrs)	F-3	6	1
5902(b.1)(7)*	Promoting prostitution of minor-provide place for prostitution (<16 yrs)	F-3	8	1
5902(b.1)(8)*	Promoting prostitution of minor-receive benefit (16-<18 yrs)	F-3	6	1
5902(b.1)(8)*	Promoting prostitution of minor-receive benefit (<16 yrs)	F-3	8	1

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
5902(d)	Living off prostitutes	M-2	3	m
5902(d)	Living off prostitutes (compel)	F-3	5	1
5902(d)	Living off prostitutes (HIV positive/AIDS)	F-3	5	1
5902(d)	Living off prostitutes (spouse/child/ward)	F-3	5	1
5902(e)	Patronizing prostitutes (1st/2nd off)	M-3	1	m
5902(e)	Patronizing prostitutes (3rd off)	M-2	3	m
5902(e)	Patronizing prostitutes (4th/subsq off)	M-1	4	m
5902(e)	Patronizing prostitutes (HIV positive/AIDS)	F-3	7	1
5903(a)(1)	Obscene materials-display (1st off & not for resale)	M-1	3	m
5903(a)(1)	Obscene materials-display (2nd/subsq off or for resale)	F-3	5	1
5903(a.1)	Obscene materials-disseminate via elec. comm. (1st off & not for resale)	M-1	3	m
5903(a.1)	Obscene materials-disseminate via elec. comm. att. evade prosec. (1st) (additional penalty)	M-1	3	m
5903(a.1)	Obscene materials-disseminate via elec. comm: att. evade prosec. (2nd) (additional penalty)	M-1	3	m
5903(a)(2)	Obscene materials-sell (1st off & not for resale)	M-1	3	m
5903(a)(2)	Obscene materials-sell (2nd/subsq off or for resale)	F-3	5	1
5903(a)(3)(i)	Obscene materials-design (1st off & not for resale)	M-1	3	m
5903(a)(3)(i)	Obscene materials-design (2nd/subsq off or for resale)	F-3	5	1
5903(a)(3)(ii)	Obscene materials-design: minor depicted (1st off & not for resale)	M-1	4	m
5903(a)(3)(ii)	Obscene materials-design: minor depicted (2nd/subsq off or for resale)	F-3	6	1
5903(a)(4)(i)	Obscene materials-prepare ad (1st off & not for resale)	M-1	3	m
5903(a)(4)(i)	Obscene materials-prepare ad (2nd/subsq off or for resale)	F-3	5	1
5903(a)(4)(ii)	Obscene materials-prepare ad: minor included (1st off & not for resale)	M-1	4	m
5903(a)(4)(ii)	Obscene materials-prepare ad: minor included (2nd/subsq off or for resale)	F-3	6	1
5903(a)(5)(i)	Obscene materials-produce performance (1st off & not for resale)	M-1	3	m
5903(a)(5)(i)	Obscene materials-produce performance (2nd/subsq off or for resale)	F-3	5	1
5903(a)(5)(ii)	Obscene materials-produce performance: minor included (1st off & not for resale)	M-1	4	m
5903(a)(5)(ii)	Obscene materials-produce performance: minor included (2nd/subsq off or for resale)	F-3	6	1
5903(a)(6)	Obscene materials-use minor to assist (1st off & not for resale)	M-1	4	m
5903(a)(6)	Obscene materials-use minor to assist (2nd/subsq off or for resale)	F-3	6	1
5903(a)(7)	Obscene materials-deliver to correctnl facility (1st off & not for resale)	M-1	3	m
5903(a)(7)	Obscene materials-deliver to correctnl facility (2nd/subsq off or for resale)	F-3	5	1

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
5903(a)(8)	Obscene materials-inmate possesses (1st off & not for resale)	M-1	3	m
5903(a)(8)	Obscene materials-inmate possesses (2nd/subsq off or for resale)	F-3	5	1
5903(a)(9)	Obscene materials-permit into correctnl inst (1st off & not for resale)	M-1	3	m
5903(a)(9)	Obscene materials-permit into correctnl inst (2nd/subsq off or for resale)	F-3	5	1
5903(c)(1)	Obscene materials-disseminate pictures to minors (1st off)	F-3	5	1
5903(c)(1)	Obscene materials-disseminate pictures to minors (2nd/subsq off)	F-2	7	2
5903(c)(2)	Obscene materials-disseminate print/audio to minors (1st off)	F-3	5	1
5903(c)(2)	Obscene materials-disseminate print/audio to minors (2nd/subsq off)	F-2	7	2
5903(d)	Obscene materials-admit minor to show (1st off)	F-3	5	1
5903(d)	Obscene materials-admit minor to show (2nd/subsq off)	F-2	7	2
5903(f)	Obscene materials-require sale	M-1	3	m
5904	Public exhibition of insane/deformed person	M-2	2	m
6105(a)(1)*	Firearms-persons not to possess: convicted of enumerated felony or drug felony (loaded/ammo available) ((a.1)(1))	F-2	10	2
6105(a)(1)*	Firearms-persons not to possess: convicted of enumerated felony or drug felony (loaded/ammo available) ((a.1)(1)) (previous conviction)	F-1	11	3
6105(a)(1)*	Firearms-persons not to possess: convicted of enumerated felony or drug felony (loaded/ammo available) ((a.1)(1)) (possession/control of firearm or within reach)	F-1	11	3
6105(a)(1)*	Firearms-persons not to possess: convicted of enumerated felony or drug felony (unloaded/no ammo available) ((a.1)(1))	F-2	9	2
6105(a)(1)*	Firearms-persons not to possess: convicted of enumerated felony or drug felony (unloaded/no ammo available) ((a.1)(1)) (previous conviction)	F-1	10	3
6105(a)(1)*	Firearms-persons not to possess: convicted of enumerated felony or drug felony (unloaded/no ammo available) ((a.1)(1)) (possession/control of firearm or within reach)	F-1	10	3
6105(a)(1)*	Firearms-persons not to possess: convicted of enumerated misd. (loaded/ammo available) ((a.1)(1))	M-1	3	1
6105(a)(1)*	Firearms-persons not to possess: convicted of enumerated misd. (unloaded/no ammo available) ((a.1)(1))	M-1	3	1
6105(a)(1)*	Firearms-persons not to possess: accept w/PFA (loaded/ammo available) ((a.1)(2)(i))	M-3	2	m
6105(a)(1)*	Firearms-persons not to possess: accept w/PFA (unloaded/no ammo available) ((a.1)(2)(i))	M-3	1	m
6105(a)(1)*	Firearms-persons not to possess: fail to relinquish w/PFA [(loaded/ammo available)] ((a.1)(2))	[M-1] M-2	[5] 4	1

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[6105(a)(1)*]	[Firearms-persons not to possess: fail to relinquish w/PFA (unloaded/no ammo available) ((a.1)(2))]	[M-1]	[4]	[1]
6105(a)(1)*	Firearms-persons not to possess: return to person w/PFA (loaded/ammo available) ((a.1)(5))	M-1	6	1
6105(a)(1)*	Firearms-persons not to possess: return to person w/PFA (unloaded/no ammo available) ((a.1)(5))	M-1	5	1
6105(a)(1)*	Firearms-persons not to possess: fugitive from justice (loaded/ammo available) ((c)(1))	M-1	6	1
6105(a)(1)*	Firearms-persons not to possess: fugitive from justice (unloaded/no ammo available) ((c)(1))	M-1	5	1
6105(a)(1)*	Firearms-persons not to possess: convicted of drug misdemeanor (loaded/ammo available) ((c)(2))	M-1	6	1
6105(a)(1)*	Firearms-persons not to possess: convicted of drug misdemeanor (unloaded/no ammo available) ((c)(2))	M-1	5	1
6105(a)(1)*	Firearms-persons not to possess: convicted of DUI (loaded/ammo available) ((c)(3))	M-1	6	1
6105(a)(1)*	Firearms-persons not to possess: convicted of DUI (unloaded/no ammo available) ((c)(3))	M-1	5	1
6105(a)(1)*	Firearms-persons not to possess: incompetent/mental illness (loaded/ammo available) ((c)(4))	M-1	5	1
6105(a)(1)*	Firearms-persons not to possess: incompetent/mental illness (unloaded/no ammo available) ((c)(4))	M-1	4	1
6105(a)(1)*	Firearms-persons not to possess: alien (loaded/ammo available) ((c)(5))	M-1	6	1
6105(a)(1)*	Firearms-persons not to possess: alien (unloaded/no ammo available) ((c)(5))	M-1	5	1
6105(a)(1)*	Firearms-persons not to possess: active PFA (loaded/ammo available) ((c)(6))	M-1	6	1
6105(a)(1)*	Firearms-persons not to possess: active PFA (unloaded/no ammo available) ((c)(6))	M-1	5	1
6105(a)(1)*	Firearms-persons not to possess: adjudicated delinquent (loaded/ammo available) ((c)(7))	M-1	6	1
6105(a)(1)*	Firearms-persons not to possess: adjudicated delinquent (unloaded/no ammo available) ((c)(7))	M-1	5	1
6105(a)(1)*	Firearms-persons not to possess: adjudicated delinquent (loaded/ammo available) ((c)(8))	M-1	6	1
6105(a)(1)*	Firearms-persons not to possess: adjudicated delinquent (unloaded/no ammo available) ((c)(8))	M-1	5	1
6105(a)(1)*	Firearms-persons not to possess: other under U.S.C. (loaded/ammo available) ((c)(9))	M-1	6	1
6105(a)(1)*	Firearms-persons not to possess: other under U.S.C. (unloaded/no ammo available) ((c)(9))	M-1	5	1
6105.2(a)(1)	Firearms-persons not to possess: relinquishment of firearms/licenses by convicted persons	M-2	4	1
6106(a)(1)*	Firearms-carried w/o license: ineligible (loaded/ammo available)	F-3	9	1
6106(a)(1)*	Firearms-carried w/o license: ineligible (unloaded/no ammo available)	F-3	7	1
6106(a)(2)*	Firearms-carried w/o license: eligible (loaded/ammo available & crim act.)	F-3	9	1

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6106(a)(2)*	Firearms-carried w/o license: eligible (unloaded/no ammo available & crim act.)	F-3	7	1
6106(a)(2)*	Firearms-carried w/o license (loaded/ammo available/no other crim. act.)	M-1	4	1
6106(a)(2)*	Firearms-carried w/o license (unloaded/no ammo available/ no other crim. act.)	M-1	3	1
6107(a)	Firearms-prohibited conduct during emergency	M-1	3	1
6108*	Firearms-carrying in Philadelphia (loaded/ammo available)	M-1	5	1
6108*	Firearms-carrying in Philadelphia (unloaded/no ammo available)	M-1	4	1
6110.1(a)	Firearms-possession by minor	M-1	3	1
6110.1(c)	Firearms-delivery to minor by adult	F-3	7	1
6110.2(a)*	Firearms-possession w/ altered mfr. num. (loaded/ammo available)	F-2	10	2
6110.2(a)*	Firearms-possession w/ altered mfr. num. (unloaded/no ammo available)	F-2	9	2
6111(a)(1)	Firearms-sale/transfer: deliver before 48 hrs	M-2	2	m
6111(a)(1)	Firearms-sale/transfer: deliver before 48 hrs (2nd/subsq off)	F-2	9	2
6111(a)(1)	Firearms-sale/transfer: deliver before 48 hrs (false statements)	F-3	8	1
6111(a)(1)	Firearms-sale/transfer: deliver before 48 hrs (inappropriate use of crim history)	F-3	5	1
6111(a)(1)	Firearms-sale/transfer: deliver before 48 hrs (sell to ineligible)	F-3	8	1
6111(a)(1)	Firearms-sale/transfer: deliver before 48 hrs (unlawful crim history request)	F-3	5	1
6111(a)(2)	Firearms-sale/transfer: deliver w/o crim history check	M-2	2	m
6111(a)(2)	Firearms-sale/transfer: deliver w/o crim history check (2nd/subsq off)	F-2	9	2
6111(a)(2)	Firearms-sale/transfer: deliver w/o crim history check (false statements)	F-3	8	1
6111(a)(2)	Firearms-sale/transfer: deliver w/o crim history check (inappropriate use of crim history)	F-3	5	1
6111(a)(2)	Firearms-sale/transfer: deliver w/o crim history check (sell to ineligible)	F-3	8	1
6111(a)(2)	Firearms-sale/transfer: deliver w/o crim history check (unlawful crim history request)	F-3	5	1
6111(b)(1)	Firearms-sale/transfer: full app/record of sale	M-2	2	m
6111(b)(1)	Firearms-sale/transfer: full app/record of sale (2nd/subsq off)	F-2	9	2
6111(b)(1)	Firearms-sale/transfer: full app/record of sale (false statements)	F-3	8	1
6111(b)(1)	Firearms-sale/transfer: full app/record of sale (inappropriate use of crim history)	F-3	5	1
6111(b)(1)	Firearms-sale/transfer: full app/record of sale (sell to ineligible)	F-3	8	1
6111(b)(1)	Firearms-sale/transfer: full app/record of sale (unlawful crim history request)	F-3	5	1
6111(b)(1.2)	Firearms-sale/transfer: transmit fee	M-2	2	m

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6111(b)(1.2)	Firearms-sale/transfer: transmit fee (2nd/subsq off)	F-2	9	2
6111(b)(1.2)	Firearms-sale/transfer: transmit fee (false statements)	F-3	8	1
6111(b)(1.2)	Firearms-sale/transfer: transmit fee (inappropriate use of crim history)	F-3	5	1
6111(b)(1.2)	Firearms-sale/transfer: transmit fee (sell to ineligible)	F-3	8	1
6111(b)(1.2)	Firearms-sale/transfer: transmit fee (unlawful crim history request)	F-3	5	1
6111(c)	Firearms-sale/transfer: thru licensed dealer	M-2	2	m
6111(c)	Firearms-sale/transfer: thru licensed dealer (2nd/subsq off)	F-2	9	2
6111(c)	Firearms-sale/transfer: thru licensed dealer (false statements)	F-3	8	1
6111(c)	Firearms-sale/transfer: thru licensed dealer (inappropriate use of crim history)	F-3	5	1
6111(c)	Firearms-sale/transfer: thru licensed dealer (sell to ineligible)	F-3	8	1
6111(c)	Firearms-sale/transfer: thru licensed dealer (unlawful crim history request)	F-3	5	1
6111(g)(2)	Firearms-sale/transfer: to unqualified or ineligible person	F-3	8	1
6111(g)(2)	Firearms-sale/transfer: to unqualified or ineligible person (2nd/subsq off)	F-2	9	2
6111(g)(4)	Firearms-sale/transfer: false statements, materials, ID	F-3	8	1
6111(g)(4)	Firearms-sale/transfer: false statements, materials, ID (2nd/subsq off)	F-2	9	2
6112	Firearms-dealer to be licensed	M-1	3	1
6113(a)(1)	Firearms-dealer license: sell in undesignated area	M-1	3	1
6113(a)(2)	Firearms-dealer license: fail to display license	M-1	3	1
6113(a)(3)	Firearms-dealer license: violation of act	M-1	3	1
6113(a)(4)	Firearms-dealer license: w/o knowledge of purchaser	M-1	3	1
6113(a)(5)	Firearms-dealer license: fail to keep record	M-1	3	1
6113(a)(6)	Firearms-dealer license: display firearm in public view	M-1	3	1
6115(a)	Firearms-lending prohibited	M-1	3	1
6116	Firearms-give false info/identity for purchase	M-1	3	1
6117(a)	Firearms-alter mfr. number/ID	F-2	7	2
6121(a)	Firearms-certain bullets prohibited	F-3	5	1
6122	Firearms-proof of license	M-1	3	1
6161(a)	Carrying explosives on conveyances	M-2	3	m
6162(a)	Shipping explosives	M-3	3	m
6301(a)(1)(i)	Corruption of minors	M-1	4	m
6301(a)(1)(ii)	Corruption of minors-course of conduct (of a sexual nature)	F-3	6	1
6301(a)(2)	Corruption of minors-encourage 2nd truancy in one year	M-3	1	m
6302(a)	Sale/lease of weapons/explosives (to minor)	M-1	4	m
6303(a)	Sale of starter pistols-to minors	M-1	4	m

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6304(a)(1)	Sale/use of air rifles-sale or transfer (to minor)	M-3	1	m
6307(a)	Misrepresentation of age to secure alcohol (2nd/subsq off)	M-3	1	m
6309(a)	Representing that minor is of age	M-3	1	m
6310(a)	Inducement of minors to buy liquor/beer	M-3	1	m
6310.1(a)	Selling/furnishing liquor/beer to minors	M-3	1	m
6310.2(a)	Manufacture/sale of false ID card	M-2	2	m
6310.3(a)	Carrying a false ID card (2nd/subsq off)	M-3	1	m
6311(a)	Tattooing a minor (1st off)	M-3	1	m
6311(a)	Tattooing a minor (2nd/subsq off)	M-2	2	m
6311(b)	Body piercing a minor (1st off)	M-3	1	m
6311(b)	Body piercing a minor (2nd/subsq off)	M-2	2	m
6312(b)*	Sexual abuse of children-photographing/etc. sexual acts (13-<18 yrs)	F-2	8	2
6312(b)*	Sexual abuse of children-photographing/etc. sexual acts (<13 yrs or determination of prepubescence)	F-2	9	2
6312(b)*	Sexual abuse of children-photographing/etc. sexual acts: when indecent contact depicted (13-<18 yrs)	F-1	10	3
6312(b)*	Sexual abuse of children-photographing/etc. sexual acts: when indecent contact depicted (<13 yrs or determination of prepubescence)	F-1	10	3
6312(c)*	Sexual abuse of children-dissemination (13-<18 yrs) (1st off)	F-3	6	1
6312(c)*	Sexual abuse of children-dissemination (13-<18 yrs) (2nd/subsq off)	F-2	8	2
6312(c)*	Sexual abuse of children-dissemination (<13 yrs or determination of prepubescence) (1st off)	F-3	7	1
6312(c)*	Sexual abuse of children-dissemination (<13 yrs or determination of prepubescence) (2nd/subsq off)	F-2	9	2
6312(c)*	Sexual abuse of children-dissemination: when indecent contact depicted (13-<18 yrs) (1st offense)	F-2	9	2
6312(c)*	Sexual abuse of children-dissemination: when indecent contact depicted (13-<18 yrs) (2nd/subsq offense)	F-2	10	2
6312(c)*	Sexual abuse of children-dissemination: when indecent contact depicted (<13 yrs or determination of prepubescence) (1st offense)	F-2	9	2
6312(c)*	Sexual abuse of children-dissemination: indecent contact depicted (<13 yrs or determination of prepubescence) (2nd/subsq offense)	F-2	10	2
6312(d)*	Sexual abuse of children-possess child pornography (13-<18 yrs) (1st off)	F-3	6	1
6312(d)*	Sexual abuse of children-possess child pornography (13-<18 yrs) (2nd/subsq off)	F-2	8	2
6312(d)*	Sexual abuse of children-possess child pornography (<13 yrs or determination of prepubescence) (1st off)	F-3	7	1
6312(d)*	Sexual abuse of children-possess child pornography (<13 yrs or determination of prepubescence) (2nd/subsq off)	F-2	9	2

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6312(d)*	Sexual abuse of children-possess child pornography: when indecent contact depicted (13-<18) (1st offense)	F-2	9	2
6312(d)*	Sexual abuse of children-possess child pornography: when indecent contact depicted (13-<18) (2nd/subsq offense)	F-2	10	2
6312(d)*	Sexual abuse of children-possess child pornography: when indecent contact depicted (<13 yrs or determination of prepubescence) (1st offense)	F-2	9	2
6312(d)*	Sexual abuse of children-possess child pornography: when indecent contact depicted (<13 yrs or determination of prepubescence) (2nd/subsq offense)	F-2	10	2
6318(a)(1)	Unlaw. contact w/ minor-sexual offenses [underlying offense=F-3 or greater]	Same as underlying offense	same as underlying offense, or OGS 6, whichever is greater	same as underlying offense, or 1, whichever is greater
6318(a)(1)	Unlaw. contact w/ minor-sexual offenses [underlying offense <F-3]	F-3	6	1
6318(a)(2)	Unlaw. contact w/ minor-open lewdness [underlying offense=F-3 or greater]	Same as underlying offense	same as underlying offense, or OGS 6, whichever is greater	same as underlying offense, or 1, whichever is greater
6318(a)(2)	Unlaw. contact w/ minor-open lewdness [underlying offense <F-3]	F-3	6	1
6318(a)(3)	Unlaw. contact w/ minor-prostitution [underlying offense=F-3 or greater]	Same as underlying offense	same as underlying offense, or OGS 6, whichever is greater	same as underlying offense, or 1, whichever is greater
6318(a)(3)	Unlaw. contact w/ minor-prostitution [underlying offense <F-3]	F-3	6	1
6318(a)(4)	Unlaw. contact w/ minor-sexual materials [underlying offense=F-3 or greater]	Same as underlying offense	same as underlying offense, or OGS 6, whichever is greater	same as underlying offense, or 1, whichever is greater
6318(a)(4)	Unlaw. contact w/ minor-sexual materials [underlying offense <F-3]	F-3	6	1
6318(a)(5)	Unlaw. contact w/ minor-sexual abuse [underlying offense=F-3 or greater]	Same as underlying offense	same as underlying offense, or OGS 6, whichever is greater	same as underlying offense, or 1, whichever is greater
6318(a)(5)	Unlaw. contact w/ minor-sexual abuse [underlying offense <F-3]	F-3	6	1
6318(a)(6)	Unlaw. contact w/ minor-sexual exploitation [underlying offense=F-3 or greater]	Same as underlying offense	same as underlying offense, or OGS 6, whichever is greater	same as underlying offense, or 1, whichever is greater

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6318(a)(6)	Unlaw. contact w/ minor-sexual exploitation [underlying offense <F-3]	F-3	6	1
6319(a)	Solicitation of minors to traffic drugs-general	F-2	9	2
6319(b)	Solicitation of minors to traffic drugs-drug-free school zone	F-1	10	3
6320	Sexual exploitation of children	F-2	9	2
6321(b)	Transmission, sexually explicit image by minor-of another minor (victim >=12 yrs)	M-3	1	m
6321(c)(1)	Transmission, sexually explicit image by minor-w/ intent to harass: makes depiction of minor w/ nudity w/o knowledge and consent	M-2	3	m
6321(c)(2)	Transmission, sexually explicit image by minor-w/ intent to harass: transmits depiction of minor w/ nudity w/o knowledge and consent	M-2	3	m
6501(a)(1)	Scattering rubbish-upon land/stream (2nd/subsq off)	M-3	1	m
6501(a)(2)	Scattering rubbish-interferes w/ contents of receptacle (2nd/subsq off)	M-3	1	m
6501(a)(3)	Scattering rubbish-deposit trash on street (2nd/subsq off)	M-1	3	m
6501(a)(3)	Scattering rubbish-deposit trash on street (1st off)	M-2	2	m
6504	Public nuisances	M-2	2	m
6701(b)(1)	Misrepresentation of military service	M-3	1	m
6701(b)(2)	Misrepresentation of military honors	M-3	1	m
6703	Dealing in military decorations	M-3	1	m
6707	False registration of domestic animals	M-3	1	m
6709(1)	Use of union labels-insignia	M-3	1	m
6709(2)	Use of union labels-nonunion product	M-3	1	m
6709(3)	Use of union labels-not authorized by union	M-3	1	m
6901	Extension of water line-w/o permit	M-3	1	m
6910(a)	Unauthorized sale of tickets	M-3	1	m
7102	Administer drugs to race horses	M-1	3	m
7103(a)	Horse racing	M-3	1	m
7104(a)	Fortune telling-for gain or lucre	M-3	1	m
7107(a)(1)	Unlawf. action by athlete agent-prior to eligibility expired	M-1	3	m
7107(a)(2)	Unlawf. action by athlete agent-give prior to eligibility expired	M-1	3	m
7107(a)(3)	Unlawf. action by athlete agent-agreement w/ univ. employee for referral	M-1	3	m
7302(a)	Sale of solidified alcohol	M-2	2	m
7302(b)	Labeling of solidified alcohol	M-1	3	m
7303(a)	Sale/illegal use of certain solvents-smell/inhale toxic subst	M-3	1	m
7303(c)	Sale/illegal use of certain solvents-possess solvent for toxic vapors	M-3	1	m
7303(d)	Sale/illegal use of certain solvents-sell solvent for toxic vapors	M-3	1	m
7306(a)	Incendiary devices	M-1	3	m
7307	Out-of-state convict made goods-sell/exchange	M-2	2	m

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
7308(a)	Unlawful advertising of insurance business	M-2	2	m
7309(a)	Unlawful coercion in contracting insurance	M-1	3	m
7310(a)	Furnishing free insurance as inducement for purchase	M-3	1	m
7311(a)	Unlawful collection agency practices-assignment of claims	M-3	1	m
7311(b)	Unlawful collection agency practices-appearance for creditor	M-3	1	m
7311(b.1)	Unlawful collection agency practices-unfair/deceptive methods	M-3	1	m
7311(c)	Unlawful collection agency practices-unlaw. furnish legal services	M-3	1	m
7311(d)	Unlawful collection agency practices-unlaw. service for debtor	M-3	1	m
7311(e)	Unlawful collection agency practices-unlaw. solicit job for attorney	M-3	1	m
7311(f)	Unlawful collection agency practices-unlaw. coercion/intimidation	M-3	1	m
7312(a)	Debt pooling	M-3	1	m
7313(a)	Buying/exchanging [food stamps] SNAP benefits (>=\$1,000)	F-3	5	1
7313(a)	Buying/exchanging [food stamps] SNAP benefits (<\$1,000)	M-1	3	m
7314(a)	Fraudulent traffic in [food orders] SNAP benefits (>=[\$1,000] \$2,500)	[F-3] F-2	[5] 7	[1] 2
7314(a)	Fraudulent traffic in SNAP benefits (\$1,000-<\$2,500)	F-3	5	1
7314(a)	Fraudulent traffic in [food orders] SNAP benefits (<\$1,000)	M-1	3	m
7316(a)	Keeping bucket-shop	M-3	1	m
7317(a)	Accessories in conduct of bucket-shop	M-3	1	m
7318(a)	Maintaining premises of bucket-shop	M-3	1	m
7319(b)	Bucket-shop contracts	M-3	1	m
7321(a)	Lie detector tests-require for employment	M-2	2	m
7322	Demanding property/money to secure employment	M-3	1	m
7323	Discrimination on account of U.S. armed forces uniform	M-2	2	m
7324(b)	Unlaw. sale of dissertations/etc.-sale of assistance	M-3	1	m
7324(c)	Unlaw. sale of dissertations/etc.-sale of assignment	M-3	1	m
7324(d)	Unlaw. sale of dissertations/etc.-distribution for sale	M-3	1	m
7326(a)	Disclosure of confidential tax information	M-3	1	m
7328(a)	Operation of unauthorized bottle club	M-3	1	m
7503(a)	Architects/engineers-interest in public works contracts	M-3	1	m
7504(a)	Appointment of special police	M-3	1	m
7507	Breach of privacy-use stress monitor w/o consent	M-2	2	m
7507.1(a)(1)	Invasion of privacy-view/photograph person w/o consent (single violation)	M-3	2	m
7507.1(a)(1)	Invasion of privacy-view/photograph person w/o consent (>1 violation)	M-2	3	m

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

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

*=subcategorized offenses. See § 303.3(b)

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

Inchoates=Inchoate to 4 point PRS offenses. See § 303.7(a)(5)

See §§ 303.7(c) and 303.8(b) for all other inchoates

**MISCELLANEOUS OFFENSES
(Child Abuse Reporting)**

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

<i>23 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
6319(c)	Failure to report or to refer suspected child abuse-child abuse if F-1 or higher (2nd/subsq)	F-2	7	2
6346(b)	Willful failure to cooperate in investigation of suspected child abuse (1st violation)	M-3	2	m
6346(b)	Willful failure to cooperate in investigation of suspected child abuse (subsq violation)	M-2	3	m

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

OPERATION OF BOATS

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

<i>30 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
5502(a)(2)	Oper. watercraft under influence-general impairment: BAC .08-<.10 (3rd/subsq off)	M-2	3	1
5502(a.2)	Oper. watercraft under influence-highest rate of alcohol: BAC >=.16 (1st off)	M	1	m
5502(a.2)	Oper. watercraft under influence-highest rate of alcohol: BAC >=.16 (2nd off)	M-1	5	1
5502(a.2)	Oper. watercraft under influence-highest rate of alcohol: BAC >=.16 (3rd/subsq off)	M-1	5	1
5502(a.3)(1)(i)	Oper. watercraft under influence-controlled substances: Sched I (1st off)	M	1	m
5502(a.3)(1)(i)	Oper. watercraft under influence-controlled substances: Sched I (2nd off)	M-1	5	1
5502(a.3)(1)(i)	Oper. watercraft under influence-controlled substances: Sched I (3rd/subsq off)	M-1	5	1
5502(a.3)(1)(ii)	Oper. watercraft under influence-controlled substances: Sched II/III (1st off)	M	1	m
5502(a.3)(1)(ii)	Oper. watercraft under influence-controlled substances: Sched II/III (2nd off)	M-1	5	1
5502(a.3)(1)(ii)	Oper. watercraft under influence-controlled substances: Sched II/III (3rd/subsq off)	M-1	5	1
5502(a.3)(1)(iii)	Oper. watercraft under influence-controlled substances: metabolite of Sched I/II/III (1st off)	M	1	m
5502(a.3)(1)(iii)	Oper. watercraft under influence-controlled substances: metabolite of Sched I/II/III (2nd off)	M-1	5	1
5502(a.3)(1)(iii)	Oper. watercraft under influence-controlled substances: metabolite of Sched I/II/III (3rd/subsq off)	M-1	5	1
5502(a.3)(2)	Oper. watercraft under influence-controlled substances & incapable of safe operation (1st off)	M	1	m
5502(a.3)(2)	Oper. watercraft under influence-controlled substances & incapable of safe operation (2nd off)	M-1	5	1
5502(a.3)(2)	Oper. watercraft under influence-controlled substances & incapable of safe operation (3rd/subsq off)	M-1	5	1
5502(a.3)(3)	Oper. watercraft under influence-controlled substances & alcohol & incapable of safe operation (1st off)	M	1	m
5502(a.3)(3)	Oper. watercraft under influence-controlled substances & alcohol & incapable of safe operation (2nd off)	M-1	5	1
5502(a.3)(3)	Oper. watercraft under influence-controlled substances & alcohol & incapable of safe operation (3rd/subsq off)	M-1	5	1
5502(a.3)(4)	Oper. watercraft under influence-controlled substances: solvent, etc. (1st off)	M	1	m
5502(a.3)(4)	Oper. watercraft under influence-controlled substances: solvent, etc. (2nd off)	M-1	5	1
5502(a.3)(4)	Oper. watercraft under influence-controlled substances: solvent, etc. (3rd/subsq off)	M-1	5	1
5502(a.4)	Oper. watercraft under influence-minor operator (1st off)	M	1	m
5502(a.4)	Oper. watercraft under influence-minor operator (2nd off)	M	1	1
5502(a.4)	Oper. watercraft under influence-minor operator (3rd off)	M-1	5	1

<i>30 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
5502(a.4)	Oper. watercraft under influence-minor operator (4th/subsq off)	M-1	5	1
5502.1(a)	Homicide by watercraft while operating under influence	F-2	10	2
5502.2*	Homicide by watercraft (when there is a conviction for operating under the influence)	M-1	8	1
5502.2*	Homicide by watercraft (when there is not a conviction for operating under the influence)	M-1	6	1
5502.3(a)	Aggravated assault by watercraft while operating under influence	F-2	7	2
5507(a)	Duties of operators involved in boating accidents-stop	M-1	3	m
5507(a)	Duties of operators involved in boating accidents-stop (death)	F-3	5	1
5507(b)	Duties of operators involved in boating accidents-give information	M-1	3	m
5507(b)	Duties of operators involved in boating accidents-give information (death)	F-3	5	1
5507(c)	Duties of operators involved in boating accidents-render aid	M-1	3	m
5507(c)	Duties of operators involved in boating accidents-render aid (death)	F-3	5	1
5507(d)	Duties of operators involved in boating accidents-stay	M-1	3	m
5507(d)	Duties of operators involved in boating accidents-stay (death)	F-3	5	1

*=subcategorized offenses. See § 303.3(b)

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

DRUG ACT OFFENSES

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

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

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

<i>35 P.S. § 780-113</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (50-1000 lbs.)	F	8	2
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (51-5000 plants)	F	8	2
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (10-<50 lbs.)	F	7	2
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (21-<51 plants)	F	7	2
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (1-<10 lbs.)	F	5	2
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (10-<21 plants)	F	5	2
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (<1 lb.)	F	3	2
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (<10 plants)	F	3	2
(a)(12)*	Acquisition of controlled substance by fraud-Sched I	F	5	2
(a)(12)*	Acquisition of controlled substance by fraud-Sched II	F	5	2
(a)(12)*	Acquisition of controlled substance by fraud-Sched III	F	5	2
(a)(12)*	Acquisition of controlled substance by fraud-Sched IV	F	5	2
(a)(12)*	Acquisition of controlled substance by fraud-Sched V	M	3	m
(a)(13)	Dispense drugs to dependent person (1st off)	M	4	m
(a)(13)	Dispense drugs to dependent person (2nd/subsq off)	M	4	m
(a)(14)*	Delivery by practitioner-heroin (>1000 g)	F	13	3
(a)(14)*	Delivery by practitioner-heroin (100-1000 g)	F	11	3
(a)(14)*	Delivery by practitioner-heroin (50-<100 g)	F	10	3
(a)(14)*	Delivery by practitioner-heroin (10-<50 g)	F	8	2
(a)(14)*	Delivery by practitioner-heroin (1-<10 g)	F	7	2
(a)(14)*	Delivery by practitioner-heroin (<1 g)	F	6	2
(a)(14)*	Delivery by practitioner-fentanyl and its derivatives and analogues (>=100 g)	F	14	3
(a)(14)*	Delivery by practitioner-fentanyl and its derivatives and analogues (50-<100 g)	F	13	3
(a)(14)*	Delivery by practitioner-fentanyl and its derivatives and analogues (10-<50 g)	F	11	2
(a)(14)*	Delivery by practitioner-fentanyl and its derivatives and analogues (1-<10 g)	F	10	2
(a)(14)*	Delivery by practitioner-fentanyl and its derivatives and analogues (<1 g)	F	[9] 8	2
(a)(14)*	Delivery by practitioner-other narcotics Sched I & II (>1000 g)	F	13	3
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (>1000 pills)	F	13	3
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (100-1000 g)	F	11	3
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (100-1000 pills)	F	11	3

<i>35 P.S. § 780-113</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (50-<100 g)	F	10	3
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (50-<100 pills)	F	10	2
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (10-<50 g)	F	8	2
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (10-<50 pills)	F	8	2
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (1-<10 g)	F	7	2
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (1-<10 pills)	F	7	2
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (<1 g)	F	6	2
(a)(14)*	Delivery by practitioner-cocaine (>1000 g)	F	13	3
(a)(14)*	Delivery by practitioner-cocaine (100-1000 g)	F	11	3
(a)(14)*	Delivery by practitioner-cocaine (50-<100 g)	F	10	3
(a)(14)*	Delivery by practitioner-cocaine (10-<50 g)	F	8	2
(a)(14)*	Delivery by practitioner-cocaine (5-<10 g)	F	7	2
(a)(14)*	Delivery by practitioner-cocaine (2-<5 g)	F	6	2
(a)(14)*	Delivery by practitioner-cocaine (<2 g)	F	5	2
(a)(14)*	Delivery by practitioner-methamphetamine (>1000 g)	F	13	3
(a)(14)*	Delivery by practitioner-methamphetamine (100-1000 g)	F	11	3
(a)(14)*	Delivery by practitioner-methamphetamine (50-<100 g)	F	10	3
(a)(14)*	Delivery by practitioner-methamphetamine (10-<50 g)	F	8	2
(a)(14)*	Delivery by practitioner-methamphetamine (2.5-<10 g)	F	7	2
(a)(14)*	Delivery by practitioner-methamphetamine (<2.5 g)	F	6	2
(a)(14)*	Delivery by practitioner-PCP (>1000 g)	F	13	3
(a)(14)*	Delivery by practitioner-PCP (100-1000 g)	F	11	3
(a)(14)*	Delivery by practitioner-PCP (50-<100 g)	F	10	3
(a)(14)*	Delivery by practitioner-PCP (10-<50 g)	F	8	2
(a)(14)*	Delivery by practitioner-PCP (2.5-< 10 g)	F	7	2
(a)(14)*	Delivery by practitioner-PCP (<2.5 g)	F	6	2
(a)(14)*	Delivery by practitioner-MDMA (>1000 g)	F	13	3
(a)(14)*	Delivery by practitioner-MDMA (100-1000 g)	F	11	3
(a)(14)*	Delivery by practitioner-MDMA (50-<100 g)	F	10	3
(a)(14)*	Delivery by practitioner-MDMA (10-<50 g)	F	8	2
(a)(14)*	Delivery by practitioner-MDMA (2.5-< 10 g)	F	7	2
(a)(14)*	Delivery by practitioner-MDMA (<2.5 g)	F	6	2
(a)(14)*	Delivery by practitioner-marijuana (>1000 lbs.)	F	10	3
(a)(14)*	Delivery by practitioner-marijuana (>5000 plants)	F	10	3
(a)(14)*	Delivery by practitioner-marijuana (50-1000 lbs.)	F	8	2
(a)(14)*	Delivery by practitioner-marijuana (51-5000 plants)	F	8	2

<i>35 P.S. § 780-113</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
(a)(14)*	Delivery by practitioner-marijuana (10-<50 lbs.)	F	7	2
(a)(14)*	Delivery by practitioner-marijuana (21-<51 plants)	F	7	2
(a)(14)*	Delivery by practitioner-marijuana (1-<10 lbs.)	F	5	2
(a)(14)*	Delivery by practitioner-marijuana (10-<21 plants)	F	5	2
(a)(14)*	Delivery by practitioner-marijuana (<1 lb.)	F	3	2
(a)(14)*	Delivery by practitioner-marijuana (<10 plants)	F	3	2
(a)(14)*	Delivery by practitioner-Sched I	F	5	2
(a)(14)*	Delivery by practitioner-Sched II	F	5	2
(a)(14)*	Delivery by practitioner-Sched III	F	5	2
(a)(14)*	Delivery by practitioner-Sched IV	F	5	2
(a)(14)*	Delivery by practitioner-Sched V	M	3	m
(a)(15)	Illegal retail sale-controlled substance (1st off)	M	4	m
(a)(15)	Illegal retail sale-controlled substance (2nd/subsq off)	M	4	m
(a)(16)	Simple possession (1st off)	M	3	m
(a)(16)	Simple possession (2nd/subsq off)	M	3	m
(a)(16)	Simple possession-GHB (1st off)	F	5	2
(a)(16)	Simple possession-GHB (2nd/sub off)	F	5	2
(a)(17)	Dispense drugs w/o label by practitioner (1st off)	M	4	m
(a)(17)	Dispense drugs w/o label by practitioner (2nd/subsq off)	M	4	m
(a)(18)	Illegal sale container (1st off)	M	4	m
(a)(18)	Illegal sale container (2nd/subsq off)	M	4	m
(a)(19)	Intentional unauthorized purchase (1st off)	M	5	m
(a)(19)	Intentional unauthorized purchase (2nd/subsq off)	M	5	m
(a)(20)	Divulging trade secret (1st off)	M	4	m
(a)(20)	Divulging trade secret (2nd/subsq off)	M	4	m
(a)(21)	Failure to keep records (1st off)	M	2	m
(a)(21)	Failure to keep records (2nd/subsq off)	M	2	m
(a)(22)	Refusal of inspection (1st off)	M	2	m
(a)(22)	Refusal of inspection (2nd/subsq off)	M	2	m
(a)(23)	Unauthorized removal of seals	M	5	m
(a)(24)	Failure to obtain license (1st off)	M	2	m
(a)(24)	Failure to obtain license (2nd/subsq off)	M	2	m
(a)(25)	Manufacture by unauthorized party	M	5	m
(a)(26)	Distribution by registrant of Schedule I or II	M	5	m
(a)(27)	Use of fictitious registration number	M	5	m
(a)(28)	Furnish false application material	M	5	m
(a)(29)	Production of counterfeit trademarks equipment	M	5	m
(a)(30)*	Possession with intent to deliver-heroin (>1000 g)	F	13	3
(a)(30)*	Possession with intent to deliver-heroin (100-1000 g)	F	11	3
(a)(30)*	Possession with intent to deliver-heroin (50-<100 g)	F	10	3
(a)(30)*	Possession with intent to deliver-heroin (10-<50 g)	F	8	2
(a)(30)*	Possession with intent to deliver-heroin (1-<10 g)	F	7	2
(a)(30)*	Possession with intent to deliver-heroin (<1 g)	F	6	2

<i>35 P.S. § 780-113</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
(a)(30)*	Possession with intent to deliver-fentanyl and its derivatives and analogues (>=100 g)	F	14	3
(a)(30)*	Possession with intent to deliver-fentanyl and its derivatives and analogues (50-<100 g)	F	13	3
(a)(30)*	Possession with intent to deliver-fentanyl and its derivatives and analogues (10-<50 g)	F	11	2
(a)(30)*	Possession with intent to deliver-fentanyl and its derivatives and analogues (1-<10 g)	F	10	2
(a)(30)*	Possession with intent to deliver-fentanyl and its derivatives and analogues (<1 g)	F	[9] 8	2
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (>1000 g)	F	13	3
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (>1000 pills)	F	13	3
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (100-1000 g)	F	11	3
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (100-1000 pills)	F	11	3
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (50-<100 g)	F	10	3
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (50-<100 pills)	F	10	2
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (10-<50 g)	F	8	2
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (10-<50 pills)	F	8	2
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (1-<10 g)	F	7	2
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (1-<10 pills)	F	7	2
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (<1 g)	F	6	2
(a)(30)*	Possession with intent to deliver-cocaine (>1000 g)	F	13	3
(a)(30)*	Possession with intent to deliver-cocaine (100-1000 g)	F	11	3
(a)(30)*	Possession with intent to deliver-cocaine (50-<100 g)	F	10	3
(a)(30)*	Possession with intent to deliver-cocaine (10-<50 g)	F	8	2
(a)(30)*	Possession with intent to deliver-cocaine (5-<10 g)	F	7	2
(a)(30)*	Possession with intent to deliver-cocaine (2-<5 g)	F	6	2
(a)(30)*	Possession with intent to deliver-cocaine (<2 g)	F	5	2
(a)(30)*	Possession with intent to deliver-methamphetamine (>1000 g)	F	13	3
(a)(30)*	Possession with intent to deliver-methamphetamine (100-1000 g)	F	11	3
(a)(30)*	Possession with intent to deliver-methamphetamine (50-<100 g)	F	10	3
(a)(30)*	Possession with intent to deliver-methamphetamine (10-<50 g)	F	8	2

<i>35 P.S. § 780-113</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
(a)(30)*	Possession with intent to deliver-methamphetamine (2.5-<10 g)	F	7	2
(a)(30)*	Possession with intent to deliver-methamphetamine (<2.5 g)	F	6	2
(a)(30)*	Possession with intent to deliver-PCP (>1000 g)	F	13	3
(a)(30)*	Possession with intent to deliver-PCP (100-[<]1000 g)	F	11	3
(a)(30)*	Possession with intent to deliver-PCP (50-<100 g)	F	10	3
(a)(30)*	Possession with intent to deliver-PCP (10-<50 g)	F	8	2
(a)(30)*	Possession with intent to deliver-PCP (2.5-<10 g)	F	7	2
(a)(30)*	Possession with intent to deliver-PCP (<2.5 g)	F	6	2
(a)(30)*	Possession with intent to deliver-MDMA (>1000 g)	F	13	3
(a)(30)*	Possession with intent to deliver-MDMA (100-1000 g)	F	11	3
(a)(30)*	Possession with intent to deliver-MDMA (50-<100 g)	F	10	3
(a)(30)*	Possession with intent to deliver-MDMA (10-<50 g)	F	8	2
(a)(30)*	Possession with intent to deliver-MDMA (2.5-<10 g)	F	7	2
(a)(30)*	Possession with intent to deliver-MDMA (<2.5 g)	F	6	2
(a)(30)*	Possession with intent to deliver-marijuana (>1000 lbs.)	F	10	3
(a)(30)*	Possession with intent to deliver-marijuana (>5000 plants)	F	10	3
(a)(30)*	Possession with intent to deliver-marijuana (50-1000 lbs.)	F	8	2
(a)(30)*	Possession with intent to deliver-marijuana (51-5000 plants)	F	8	2
(a)(30)*	Possession with intent to deliver-marijuana (10-<50 lbs.)	F	7	2
(a)(30)*	Possession with intent to deliver-marijuana (21-<51 plants)	F	7	2
(a)(30)*	Possession with intent to deliver-marijuana (1-<10 lbs.)	F	5	2
(a)(30)*	Possession with intent to deliver-marijuana (10-<21 plants)	F	5	2
(a)(30)*	Possession with intent to deliver-marijuana (<1 lb.)	F	3	2
(a)(30)*	Possession with intent to deliver-marijuana (<10 plants)	F	3	2
(a)(30)*	Possession with intent to deliver-Sched I (>=100 g)	F	7	2
(a)(30)*	Possession with intent to deliver-Sched I (<100 g)	F	5	2
(a)(30)*	Possession with intent to deliver-Sched II	F	5	2
(a)(30)*	Possession with intent to deliver-Sched III	F	5	2
(a)(30)*	Possession with intent to deliver-Sched IV	F	5	2
(a)(30)*	Possession with intent to deliver-Sched V	M	3	m
(a)(31)	Possession-small amt. of marijuana (<=30 g/<=8 g hashish)	M	1	m
(a)(31)	Possession-small amt. of marijuana (<=30 g/<=8 g hashish): personal use	M	1	m

<i>35 P.S. § 780-113</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
(a)(31)	Possession-small amt. of marijuana (<=30 g/<=8 g hashish): intent to distribute, not sell	M	1	m
(a)(31)	Possession-small amt. of marijuana (<=30 g/<=8 g hashish): distribution, not sale	M	1	m
(a)(32)	Possession-drug paraphernalia	M	1	m
(a)(33)	Possession w/ intent to deliver paraphernalia-under 18/3 yrs or more junior	M-2	4	m
(a)(33)	Possession w/ intent to deliver paraphernalia-not to a minor	M	3	m
(a)(34)	Place ad for sale of drug paraphernalia	M	1	m
(a)(34)	Place ad for sale of drug paraphernalia-GHB	F	5	2
(a)(35)(i)	Illegal sale of noncontrolled substance-intent to distribute	F	5	2
(a)(35)(ii)	Illegal sale of noncontrolled substance-represent as controlled substance	F	5	2
(a)(35)(iii)	Illegal sale of noncontrolled substance-distribute for redistribution	F	5	2
(a)(36)	Possession w/ intent to deliver-designer drugs	F	5	2
(a)(37)	Possession >30 doses-anabolic steroid (1st off)	M	4	m
(a)(37)	Possession >30 doses-anabolic steroid (2nd/subsq off)	M	4	m
(a)(38)(II)	Unlawful manufacture-methamphetamine (BI of child <18)	F-2	9	2
(a)(38)(I)	Unlawful manufacture-methamphetamine (child <18 present)	F-3	7	1
(a)(39)	Possess ephedrine, etc. w/ intent to manuf. methamphetamine (1st off)	M	2	m
(a)(39)	Possess ephedrine, etc. w/ intent to manuf. methamphetamine (2nd/subsq off)	M	2	m
(a)(40)	Retail sale-product containing ephedrine, etc. (1st off)	M	2	m
(a)(40)	Retail sale-product containing ephedrine, etc. (2nd/subsq off)	M	2	m

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

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

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

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

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

JUDICIAL CODE

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

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

VEHICLE LAW OFFENSES

<i>75 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
<u>1543(b)(1)(iii)</u>	<u>Drive w/ suspended/revoked license as condition of ARD/conviction for DUI (3rd / subsq off)</u>	<u>M-3</u>	<u>1</u>	<u>m</u>
1543(b)(1.1)(ii)	Drive w/ susp. lic. & BAC ≥ 0.02 / or under influence of controlled subst. (2nd off)	M-3	1	m
1543(b)(1.1)(iii)	Drive w/ susp. lic. & BAC ≥ 0.02 / or under influence of controlled subst. (3rd/subsq off)	M-1	3	m
1571(a.1)	Violations concerning licenses-agents issuing altered driver's license	F-3	5	1
1571(a)(5)	Violations concerning licenses-exhibit fictitious driver's license	M-1	3	m
3105(g)(2)	Unauth. operation of preemptive device	M-3	1	m
3367	Racing on highways (2nd/subsq off)	M	1	m
3712(a)	Abandonment of vehicles-on highway (3rd/subsq off)	M-3	1	m
3712(b)	Abandonment of vehicles-public/private property (3rd/subsq off)	M-3	1	m
3712.2(a)	Stripping abandoned vehicles (2nd/subsq off)	F-3	5	1
3712.2(a)	Stripping abandoned vehicles (1st off)	M-3	1	m
3732(a)*	Homicide by vehicle-w/ one additional factor from each of the following two categories present during the criminal incident: 1) DUI conviction or texting (75-3316) and 2) active work zone (75-3326), emergency vehicle (75-3325), or emergency response area (75-3327)	F-3 ¹	10	1
<u>3732(a)*</u>	<u>Homicide by vehicle-w/ one additional factor from each of the following two categories present during the criminal incident: 1) DUI conviction or texting (75-3316) and 2) required to be licensed (75-1501), operating privilege suspended/revoked (75-1543)</u>	<u>F-3¹</u>	<u>10</u>	<u>1</u>
<u>3732(a)*</u>	<u>Homicide by vehicle-w/ one additional factor from each of the following two categories present during the criminal incident: 1) required to be licensed (75-1501), operating privilege suspended/revoked (75-1543) and 2) active work zone (75-3326), emergency vehicle (75-3325), or emergency response area (75-3327)</u>	<u>F-3¹</u>	<u>8</u>	<u>1</u>
3732(a)*	Homicide by vehicle-w/ one additional factor present during the criminal incident: DUI conviction, texting (75-3316), required to be licensed (75-1501), operating privilege suspended/revoked (75-1543) , active work zone (75-3326), emergency vehicle (75-3325), or emergency response area (75-3327)	F-3 ¹	8	1

75 Pa.C.S. §	DESCRIPTION	STATUTORY CLASS	§ 303.3 OFFENSE GRAVITY SCORE	§ 303.7 PRIOR RECORD SCORE POINTS
3732(a)*	Homicide by vehicle	F-3	6	1
3732.1(a)*	Aggravated assault by vehicle w/ one additional factor from each of the following two categories present during the criminal incident: 1) DUI conviction or texting (75-3316) and 2) active work zone (75-3326), emergency vehicle (75-3325), or emergency response area (75-3327)	F-3 ²	9	1
<u>3732.1(a)*</u>	<u>Aggravated assault by vehicle w/ one additional factor from each of the following two categories present during the criminal incident: 1) DUI conviction or texting (75-3316) and 2) required to be licensed (75-1501), operating privilege suspended/revoked (75-1543)</u>	<u>F-3²</u>	<u>9</u>	<u>1</u>
<u>3732.1(a)*</u>	<u>Aggravated assault by vehicle w/ one additional factor from each of the following two categories present during the criminal incident: 1) required to be licensed (75-1501), operating privilege suspended/revoked (75-1543) and 2) active work zone (75-3326), emergency vehicle (75-3325), or emergency response area (75-3327)</u>	<u>F-3²</u>	<u>7</u>	<u>1</u>
3732.1(a)*	Aggravated assault by vehicle w/ one additional factor present during the criminal incident: DUI conviction, texting (75-3316), <u>required to be licensed (75-1501), operating privilege suspended/revoked (75-1543)</u> , active work zone (75-3326), emergency vehicle (75-3325), or emergency response area (75-3327)	F-3 ²	7	1
3732.1(a)*	Aggravated assault by vehicle	F-3	5	1
3733(a)	Fleeing or eluding police officer	M-2	2	m
3733(a)	Fleeing or eluding police officer-with DUI/cross state line/high-speed chase	F-3	5	1
3735(a)(1)(i)	Homicide by vehicle while DUI	F-2	10	2
3735(a)(1)(ii)	Homicide by vehicle while DUI (prior DUI)	F-1	11	3
3735.1(a)	Aggravated assault by vehicle while DUI	F-2	9	2
<u>3735.1(a.1)*</u>	<u>Aggravated assault by vehicle while DUI-required to be licensed (75-1501) or operating privilege suspended/revoked (75-1543)</u>	<u>F-2</u>	<u>10</u>	<u>2</u>
3742(a)	Accident involving death/personal injury-failure to stop (death)	F-2	9	2
3742(a)	Accident involving death/personal injury-failure to stop (SBI)	F-3	5	1
3742(a)	Accident involving death/personal injury-failure to stop (injury)	M-1	3	m
3742.1(a)(1)*	Accident involving death/personal injury-not properly licensed (death)	F-3	6	1
3742.1(a)(1)*	Accident involving death/personal injury-not properly licensed (SBI)	F-3	5	1
3742.1(a)(1)	Accident involving death/personal injury-not properly licensed	M-2	2	m
<u>3742.1(a)(2)</u>	<u>Accident involving death/personal injury-not properly licensed: acting with negligence (death)</u>	<u>M-2</u>	<u>3</u>	<u>m</u>

75 Pa.C.S. §	DESCRIPTION	STATUTORY CLASS	§ 303.3 OFFENSE GRAVITY SCORE	§ 303.7 PRIOR RECORD SCORE POINTS
3742.1(a)(2)	Accident involving death/personal injury-not properly licensed: acting with negligence (SBI)	M-3	2	m
3743(a)	Accident involving damage to attended vehicle or property	M-3	1	m
3802	Driving under the influence of alcohol or controlled substance (DUI) (See mandatory provisions § 303.9(i))			§ 303.7(a)
3802(a)(1)	DUI-general impairment/incapable of safe driving (1st off)	M	1	m
3802(a)(1)	DUI-general impairment/incapable of safe driving (2nd off)	M	1	1
3802(a)(1)	DUI-general impairment/incapable of safe driving (3rd/[subsq] off)	M-2	3	1
3802(a)(1)	<u>DUI-general impairment/incapable of safe driving (4th/subsq off)</u>	F-3	6	1
3802(a)(1)	<u>DUI-general impairment/incapable of safe driving (prior conviction 75-3735)</u>	F-3	6	1
3802(a)(1)	DUI-general impairment/incapable of safe driving (minor occupant; 1st/2nd off)	M-1	5	1
3802(a)(1)	<u>DUI-general impairment/incapable of safe driving (minor occupant; 3rd/subsq off)</u>	F-3	6	1
3802(a)(1)	DUI-incapable of safe driving: refused testing (1st off)	M	1	m
3802(a)(1)	DUI-incapable of safe driving: refused testing (2nd off)	M-1	5	1
3802(a)(1)	DUI-incapable of safe driving: refused testing (3rd/subsq off)	[M-1] F-3	[5] 6	1
3802(a)(1)	<u>DUI-incapable of safe driving: refused testing (prior conviction 75-3735)</u>	F-3	6	1
3802(a)(1)	DUI-incapable of safe driving: refused testing (minor occupant; 1st/2nd off)	M-1	5	1
3802(a)(1)	<u>DUI-incapable of safe driving: refused testing (minor occupant; 3rd/subsq off)</u>	F-3	6	1
3802(a)(1)	DUI-incapable of safe driving: accident w/BI/SBI/death (1st off)	M	1	m
3802(a)(1)	DUI-incapable of safe driving: accident w/BI/SBI/death (2nd off)	M	1	1
3802(a)(1)	DUI-incapable of safe driving: accident w/BI/SBI/death (3rd off)	M-1	5	1
3802(a)(1)	DUI-incapable of safe driving: accident w/BI/SBI/death (4th/subsq off)	[M-1] F-3	[5] 6	1
3802(a)(1)	<u>DUI-incapable of safe driving: accident w/BI/SBI/death (prior conviction 75-3735)</u>	F-3	6	1
3802(a)(1)	DUI-incapable of safe driving: accident w/BI/SBI/death (minor occupant; 1st/2nd off)	M-1	5	1
3802(a)(1)	<u>DUI-incapable of safe driving: accident w/BI/SBI/death (minor occupant; 3rd/subsq off)</u>	F-3	6	1
3802(a)(1)	DUI-incapable of safe driving: damage to vehicle/property (1st off)	M	1	m
3802(a)(1)	DUI-incapable of safe driving: damage to vehicle/property (2nd off)	M	1	1
3802(a)(1)	DUI-incapable of safe driving: damage to vehicle/property (3rd off)	M-1	5	1

75 Pa.C.S. §	DESCRIPTION	STATUTORY CLASS	§ 303.3 OFFENSE GRAVITY SCORE	§ 303.7 PRIOR RECORD SCORE POINTS
3802(a)(1)	DUI-incapable of safe driving: damage to vehicle/property (4th/subsq off)	[M-1] F-3	[5] 6	1
3802(a)(1)	<u>DUI-incapable of safe driving: damage to vehicle/property (prior conviction 75-3735)</u>	F-3	6	1
3802(a)(1)	DUI-incapable of safe driving: damage to vehicle/property (minor occupant; 1st/2nd off)	M-1	5	1
3802(a)(1)	<u>DUI-incapable of safe driving: damage to vehicle/property (minor occupant; 3rd/subsq off)</u>	F-3	6	1
3802(a)(2)	DUI-general impairment: BAC .08-<.10 (1st off)	M	1	m
3802(a)(2)	DUI-general impairment: BAC .08-<.10 (2nd off)	M	1	1
3802(a)(2)	DUI-general impairment: BAC .08-<.10 (3rd/subsq] off)	M-2	3	1
3802(a)(2)	<u>DUI-general impairment: BAC .08-<.10 (4th/subsq off)</u>	F-3	6	1
3802(a)(2)	<u>DUI-general impairment: BAC .08-<.10 (prior conviction 75-3735)</u>	F-3	6	1
3802(a)(2)	DUI-general impairment: BAC .08-<.10 (minor occupant; 1st/2nd off)	M-1	5	1
3802(a)(2)	<u>DUI-general impairment: BAC .08-<.10 (minor occupant; 3rd/subsq off)</u>	F-3	6	1
3802(b)	DUI-high rate of alcohol: BAC .10-< .16 (1st off)	M	1	m
3802(b)	DUI-high rate of alcohol: BAC .10-< .16 (2nd off)	M	1	1
3802(b)	DUI-high rate of alcohol: BAC .10-< .16 (3rd off)	M-1	5	1
3802(b)	DUI-high rate of alcohol: BAC .10-<.16 (4th/subsq off)	[M-1] F-3	[5] 6	1
3802(b)	<u>DUI-high rate of alcohol: BAC .10-<.16 (prior conviction 75-3735)</u>	F-3	6	1
3802(b)	DUI-high rate of alcohol: BAC .10-<.16 (minor occupant; 1st/2nd off)	M-1	5	1
3802(b)	<u>DUI-high rate of alcohol: BAC .10-<.16 (minor occupant; 3rd/subsq off)</u>	F-3	6	1
3802(c)	DUI-highest rate of alcohol: BAC >=.16 (1st off)	M	1	m
3802(c)	DUI-highest rate of alcohol: BAC >=.16 (2nd off)	M-1	5	1
3802(c)	DUI-highest rate of alcohol: BAC >=.16 (3rd/subsq off)	[M-1] F-3	[5] 6	1
3802(c)	<u>DUI-highest rate of alcohol: BAC >=.16 (prior conviction 75-3735)</u>	F-3	6	1
3802(c)	DUI-highest rate of alcohol: BAC >=.16 (minor occupant; 1st/2nd off)	M-1	5	1
3802(c)	<u>DUI-highest rate of alcohol: BAC >=.16 (minor occupant; 3rd/subsq off)</u>	F-3	6	1
3802(d)(1)(i)	DUI-controlled substances: Sched I (1st off)	M	1	m
3802(d)(1)(i)	DUI-controlled substances: Sched I (2nd off)	M-1	5	1
3802(d)(1)(i)	DUI-controlled substances: Sched I (3rd/subsq off)	[M-1] F-3	[5] 6	1
3802(d)(1)(i)	<u>DUI-controlled substances: Sched I (prior conviction 75-3735)</u>	F-3	6	1
3802(d)(1)(i)	DUI-controlled substances: Sched I (minor occupant; 1st/2nd off)	M-1	5	1
3802(d)(1)(i)	<u>DUI-controlled substances: Sched I (minor occupant; 3rd/subsq off)</u>	F-3	6	1

<i>75 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
3802(d)(1)(ii)	DUI-controlled substances: Sched II/III (1st off)	M	1	m
3802(d)(1)(ii)	DUI-controlled substances: Sched II/III (2nd off)	M-1	5	1
3802(d)(1)(ii)	DUI-controlled substances: Sched II/III (3rd/subsq off)	[M-1] F-3	[5] 6	1
<u>3802(d)(1)(ii)</u>	<u>DUI-controlled substances: Sched II/III (prior conviction 75-3735)</u>	<u>F-3</u>	<u>6</u>	<u>1</u>
3802(d)(1)(ii)	DUI-controlled substances: Sched II/III (minor occupant; 1st/2nd off)	M-1	5	1
<u>3802(d)(1)(ii)</u>	<u>DUI-controlled substances: Sched II/III (minor occupant; 3rd/subsq off)</u>	<u>F-3</u>	<u>6</u>	<u>1</u>
3802(d)(1)(iii)	DUI-controlled substances: metabolite of Sched I/II/III (1st off)	M	1	m
3802(d)(1)(iii)	DUI-controlled substances: metabolite of Sched I/II/III (2nd off)	M-1	5	1
3802(d)(1)(iii)	DUI-controlled substances: metabolite of Sched I/II/III (3rd/subsq off)	[M-1] F-3	[5] 6	1
<u>3802(d)(1)(iii)</u>	<u>DUI-controlled substances: metabolite of Sched I/II/III (prior conviction 75-3735)</u>	<u>F-3</u>	<u>6</u>	<u>1</u>
3802(d)(1)(iii)	DUI-controlled substances: metabolite of Sched I/II/III (minor occupant; 1st/2nd off)	M-1	5	1
<u>3802(d)(1)(iii)</u>	<u>DUI-controlled substances: metabolite of Sched I/II/III (minor occupant; 3rd/subsq off)</u>	<u>F-3</u>	<u>6</u>	<u>1</u>
3802(d)(2)	DUI-controlled substances & incapable of safe driving (1st off)	M	1	m
3802(d)(2)	DUI-controlled substances & incapable of safe driving (2nd off)	M-1	5	1
3802(d)(2)	DUI-controlled substances & incapable of safe driving (3rd/subsq off)	[M-1] F-3	[5] 6	1
<u>3802(d)(2)</u>	<u>DUI-controlled substances & incapable of safe driving (prior conviction 75-3735)</u>	<u>F-3</u>	<u>6</u>	<u>1</u>
3802(d)(2)	DUI-controlled substances & incapable of safe driving (minor occupant; 1st/2nd off)	M-1	5	1
<u>3802(d)(2)</u>	<u>DUI-controlled substances & incapable of safe driving (minor occupant; 3rd/subsq off)</u>	<u>F-3</u>	<u>6</u>	<u>1</u>
3802(d)(3)	DUI-controlled substances & alcohol & incapable of safe driving (1st off)	M	1	m
3802(d)(3)	DUI-controlled substances & alcohol & incapable of safe driving (2nd off)	M-1	5	1
3802(d)(3)	DUI-controlled substances & alcohol & incapable of safe driving (3rd/subsq off)	[M-1] F-3	[5] 6	1
<u>3802(d)(3)</u>	<u>DUI-controlled substances & alcohol & incapable of safe driving (prior conviction 75-3735)</u>	<u>F-3</u>	<u>6</u>	<u>1</u>
3802(d)(3)	DUI-controlled substances & alcohol & incapable of safe driving (minor occupant; 1st/2nd off)	M-1	5	1
<u>3802(d)(3)</u>	<u>DUI-controlled substances & alcohol & incapable of safe driving (minor occupant; 3rd/subsq off)</u>	<u>F-3</u>	<u>6</u>	<u>1</u>
3802(d)(4)	DUI-controlled substances: solvent, etc. (1st off)	M	1	m
3802(d)(4)	DUI-controlled substances: solvent, etc. (2nd off)	M-1	5	1
3802(d)(4)	DUI-controlled substances: solvent, etc. (3rd/subsq off)	[M-1] F-3	[5] 6	1

<i>75 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
3802(d)(4)	DUI-controlled substances: solvent, etc. (prior conviction 75-3735)	F-3	6	1
3802(d)(4)	DUI-controlled substances: solvent, etc. (minor occupant; 1st/2nd off)	M-1	5	1
3802(d)(4)	DUI-controlled substances: solvent, etc. (minor occupant; 3rd/subsq off)	F-3	6	1
3802(e)	DUI-minor driver (1st off)	M	1	m
3802(e)	DUI-minor driver (2nd off)	M	1	1
3802(e)	DUI-minor driver (3rd off)	M-1	5	1
3802(e)	DUI-minor driver (4th/subsq off)	[M-1] F-3	[5] 6	1
3802(e)	DUI-minor driver (prior conviction 75-3735)	F-3	6	1
3802(e)	DUI-minor driver (minor occupant; 1st/2nd off)	M-1	5	1
3802(e)	DUI-minor driver (minor occupant; 3rd/subsq off)	F-3	6	1
3802(f)(1)(i)	DUI-commercial vehicles (1st off)	M	1	m
3802(f)(1)(i)	DUI-commercial vehicles (2nd off)	M	1	1
3802(f)(1)(i)	DUI-commercial vehicles (3rd off)	M-1	[6] 5	1
3802(f)(1)(i)	DUI-commercial vehicles (4th/subsq off)	[M-1] F-3	[7] 6	1
3802(f)(1)(i)	DUI-commercial vehicles (prior conviction 75-3735)	F-3	6	1
3802(f)(1)(i)	DUI-commercial vehicles (minor occupant; 1st/2nd off)	M-1	5	1
3802(f)(1)(i)	DUI-commercial vehicles (minor occupant; 3rd/subsq off)	F-3	6	1
3802(f)(1)(ii)	DUI-school vehicles (1st off)	M	1	m
3802(f)(1)(ii)	DUI-school vehicles (2nd off)	M	1	1
3802(f)(1)(ii)	DUI-school vehicles (3rd off)	M-1	[6] 5	1
3802(f)(1)(ii)	DUI-school vehicles (4th/subsq off)	[M-1] F-3	[7] 6	1
3802(f)(1)(ii)	DUI-school vehicles (prior conviction 75-3735)	F-3	6	1
3802(f)(1)(ii)	DUI-school vehicles (minor occupant; 1st/2nd off)	M-1	5	1
3802(f)(1)(ii)	DUI-school vehicles (minor occupant; 3rd/subsq off)	F-3	6	1
3802(f)(2)	DUI-commercial/school vehicles & incapable of safe driving (1st off)	M	1	m
3802(f)(2)	DUI-commercial/school vehicles & incapable of safe driving (2nd off)	M	1	1
3802(f)(2)	DUI-commercial/school vehicles & incapable of safe driving (3rd off)	M-1	[6] 5	1
3802(f)(2)	DUI-commercial/school vehicles & incapable of safe driving (4th/subsq off)	[M-1] F-3	[7] 6	1
3802(f)(2)	DUI-commercial/school vehicles & incapable of safe driving (prior conviction 75-3735)	F-3	6	1
3802(f)(2)	DUI-commercial/school vehicles & incapable of safe driving (minor occupant; 1st/2nd off)	M-1	5	1
3802(f)(2)	DUI-commercial/school vehicles & incapable of safe driving (minor occupant; 3rd/subsq off)	F-3	6	1
3802(f)(3)	DUI-commercial/school vehicles & controlled substances (1st off)	M	1	m
3802(f)(3)	DUI-commercial/school vehicles & controlled substances (2nd off)	M	1	1

75 Pa.C.S. §	DESCRIPTION	STATUTORY CLASS	§ 303.3 OFFENSE GRAVITY SCORE	§ 303.7 PRIOR RECORD SCORE POINTS
3802(f)(3)	DUI-commercial/school vehicles & controlled substances (3rd off)	M-1	[6] <u>5</u>	1
3802(f)(3)	DUI-commercial/school vehicles & controlled substances (4th/subsq)	[M-1] <u>F-3</u>	[7] <u>6</u>	1
3802(f)(3)	DUI-commercial/school vehicles & controlled substances (prior conviction 75-3735)	F-3	6	1
3802(f)(3)	DUI-commercial/school vehicles & controlled substances (minor occupant; 1st/2nd off)	M-1	5	1
3802(f)(3)	DUI-commercial/school vehicles & controlled substances (minor occupant; 3rd/subsq off)	F-3	6	1
3802(f)(4)	DUI-commercial/school vehicles & controlled substances & alcohol (1st off)	M	1	m
3802(f)(4)	DUI-commercial/school vehicles & controlled substances & alcohol (2nd off)	M	1	1
3802(f)(4)	DUI-commercial/school vehicles & controlled substances & alcohol (3rd off)	M-1	[6] <u>5</u>	1
3802(f)(4)	DUI-commercial/school vehicles & controlled substances & alcohol (4th/subsq off)	[M-1] <u>F-3</u>	[7] <u>6</u>	1
3802(f)(4)	DUI-commercial/school vehicles & controlled substances & alcohol (prior conviction 75-3735)	F-3	6	1
3802(f)(4)	DUI-commercial/school vehicles & controlled substances & alcohol (minor occupant; 1st/2nd off)	M-1	5	1
3802(f)(4)	DUI-commercial/school vehicles & controlled substances & alcohol (minor occupant; 3rd/subsq off)	F-3	6	1
3808(a)(1)	Illegally operating motor vehicle not equipped with ignition interlock-no BAC	M	1	m
3808 (a)(2)	Illegally operating motor vehicle not equipped with ignition interlock-BAC >=.025)	M-3	1	m
3808(b)	Tampering with ignition interlock system-using/providing breath sample	M	1	m
6308(d)	Investigation by police officers-records	M-3	1	m
6503.1	Habitual offenders	M-2	2	m
7111	Deal in titles/plates for stolen vehicles	M-1	3	m
7112	False report of theft or conversion of vehicle	M-3	1	m
7121	False application for title or registration	M-1	3	m
7122	Altered/forged/counterfeit title/plates	M-1	3	m
8306(b)	Willful violation-hazardous materials transportation regs (1st off)	M-3	1	m
8306(c)	Subsq willful violation-hazardous materials transportation regs (w/in 2 yrs)	M-2	2	m

*=subcategorized offenses. See § 303.3(b)

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

¹ statutory maximum increased by 5 years if offense occurred in active work zone [(maximum=12 years)] or [statutory maximum increased by 5 years] 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 [(maximum=9 years)] or [statutory maximum increased by 2 years] if also convicted of 75 § 1501, 75 § 1543, 75 § 3316, 75 § 3325 or 75 § 3327 (maximum=9 years)

OMNIBUS ASSIGNMENTS

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

§ 303.16(a). Basic Sentencing Matrix.

Level	OGS	Example Offenses	Prior Record Score								AGG/MIT
			0	1	2	3	4	5	RFEL	REVOC	
LEVEL 5 State Incar	14	Murder 3 Inchoate Murder (SBI) Rape (victim <13 yrs)	72-SL	84-SL	96-SL	120-SL	168-SL	192-SL	204-SL	SL	~/-12
	13	Inchoate Murder (No SBI) Weapons Mass Destr-Use PWID Cocaine (>1,000 g)	60-78	66-84	72-90	78-96	84-102	96-114	108-126	240	+/- 12
	12	Rape-Forcible Compulsion IDS1-Forcible Compulsion Robbery-Inflicts SBI	48-66	54-72	60-78	66-84	72-90	84-102	96-114	120	+/- 12
	11	Agg Assault-Cause SBI Voluntary Manslaughter Sexual Assault PWID Cocaine (100-1,000 g)	36-54 BC	42-60	48-66	54-72	60-78	72-90	84-102	120	+/- 12
	10	Kidnapping Agg Indecent Assault F2 Arson-Person in Building Hom by Veh-DUI & Work Zone PWID Cocaine(50-<100 g)	22-36 BC	30-42 BC	36-48 BC	42-54	48-60	60-72	72-84	120	+/- 12
	9	Sexual Exploitation of Children Robbery-Commit/Threat F1/F2 Burglary-Home/Person Present Arson-No Person in Building	12-24 BC	18-30 BC	24-36 BC	30-42 BC	36-48 BC	48-60	60-72	120	+/- 12
LEVEL 4 State Incar/ RIP trade	8 (F1)	Agg Assault -Cause BI w/DW Theft (Firearm) Identity theft (3rd/+ & Vic>=60 yrs) Hom by Veh-DUI or Work Zone Theft (>\$100,000) PWID Cocaine (10-<50 g)	9-16 BC	12-18 BC	15-21 BC	18-24 BC	21-27 BC	27-33 BC	40-52	NA	+/- 9
	7 (F2)	Robbery-Inflicts/Threatens BI Burglary-Home/No Person Present Statutory Sexual Assault Theft (>\$50,000-\$100,000) Identity Theft (3rd/subq) PWID Cocaine (5-<10 g)	6-14 BC	9-16 BC	12-18 BC	15-21 BC	18-24 BC	24-30 BC	35-45 BC	NA	+/- 6
LEVEL 3 State/ Cnty Incar RIP trade	6	Agg Assault-Cause Fear of SBI Homicide by Vehicle Burglary-Not a Home/Person Prsnt Theft (>\$25,000-\$50,000) Arson-Endanger Property PWID Cocaine (2<5 g)	3-12 BC	6-14 BC	9-16 BC	12-18 BC	15-21 BC	21-27 BC	27-40 BC	NA	+/- 6
	5 (F3)	Burglary F2 Theft (>\$2000-\$25,000) Bribery PWID Marij (1-<10 lbs)	RS-9	1-12 BC	3-14 BC	6-16 BC	9-16 BC	12-18 BC	24-36 BC	NA	+/- 3
LEVEL 2 Cnty Incar RIP RS	4	Indecent Assault M2 Forgery (Money, Stocks) Weapon on School Property Crim Trespass F2	RS-3	RS-9	RS-<12	3-14 BC	6-16 BC	9-16 BC	21-30 BC	NA	+/- 3
	3 (M1)	Simple Assault-Attempt/Cause BI Theft (\$200-\$2000) Carrying Explosives Simple Possession	RS-1	RS-6	RS-9	RS-<12	3-14 BC	6-16 BC	12-18 BC	NA	+/- 3
LEVEL 1 RS	2 (M2)	Theft (\$50-<\$200) Retail Theft (1st/2nd Offense) Bad Checks (\$500-<\$1,000)	RS	RS-2	RS-3	RS-4	RS-6	1-9	6- <12	NA	+/- 3
	1 (M3)	Most Misd. 3's;Theft (<\$50) DUI (M) Poss. Small Amount Marij.	RS	RS-1	RS-2	RS-3	RS-4	RS-6	3-6	NA	+/- 3

- Designated areas of the matrix indicate restrictive intermediate punishments may be imposed as a substitute for incarceration.
- When restrictive intermediate punishments are appropriate, the duration of the restrictive intermediate punishment programs are recommended not to exceed the guideline ranges.
- When the range is RS through a number of months (e.g. RS-6), RIP may be appropriate.
- All numbers in sentence recommendations suggest months of minimum confinement pursuant to 42 Pa.C.S. 9755(b) and 9756(b).
- Statutory classification (e.g., F1, F2, etc.) in brackets reflect the omnibus OGS assignment for the given grade.

Key:

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

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

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

1. *Murder of the 1st Degree also includes 1st Degree Murder of Unborn Child and 1st Degree Murder of Law Enforcement Officer*
2. *Murder of the 2nd Degree also includes 2nd Degree Murder of Unborn Child and 2nd Degree Murder of Law Enforcement Officer*
3. *LWOP = Life without Parole*
4. *The Offense Gravity Score (OGS) of 15 is assigned only for Murder 1 and Murder 2 [**when committed by offenders under age 18**].*
5. *Commonwealth must provide reasonable notice to offender of its intention to seek a sentence of life imprisonment without parole for Murder of 1st Degree **when committed by an offender under age 18** (18 Pa.C.S. § 1102.1(b)).*
6. *[A mitigated sentence cannot be less than the mandatory minimum sentence established in statute (18 Pa.C.S. § 1102.1)] **Recommendations for Murder 1 and 2 apply to offenders under age 18 at the time of the offense and the conviction occurred after June 24, 2012.***

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

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

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

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

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

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

§ 303.18(a). [Youth] School Enhancement Matrix.

Level	OGS	Prior Record Score								Agg/Mit
		0	1	2	3	4	5	RFEL	REVOC	
5	14	[NA] <u>78-SL</u>	[NA] <u>90-SL</u>	[NA] <u>102-SL</u>	[NA] <u>SL</u>	[NA] <u>SL</u>	[NA] <u>SL</u>	[NA] <u>SL</u>	[NA] <u>SL</u>	~/-12
	13	66 - 90	72 - 96	78 - 102	84 - 108	90 - 114	102 - [126] <u>SL</u>	114 - [138] <u>SL</u>	[240] <u>SL</u>	+/-12
	12	[NA] <u>54-78</u>	[NA] <u>60-84</u>	[NA] <u>66-90</u>	[NA] <u>72-96</u>	[NA] <u>78-102</u>	[NA] <u>90-114</u>	[NA] <u>102-SL</u>	[NA] <u>SL</u>	+/-12
	11	42 - 66	48 - 72	54 - 78	60 - 84	66 - 90	78 - 102	90 - 114	120	+/-12
4	10	28 - 48	36 - 54	42 - 60	48 - 66	54 - 72	66 - 84	78 - 96	120	+/-12
	9	18 - 36	24 - 42	30 - 48	36 - 54	42 - 60	54 - 72	66 - 84	120	+/-12
	8	15 - 28	18 - 30	21 - 33	24 - 36	27 - 39	33 - 45	46 - 64	NA	+/-9
	7	12 - 26	15 - 28	18 - 30	21 - 33	24 - 36	30 - 42	41 - 57	NA	+/-6
3	6	9 - 24	12 - 26	15 - 28	18 - 30	21 - 33	27 - 39	33 - 52	NA	+/-6
	5	6 - 21	7 - 24	9 - 26	12 - 28	15 - 28	18 - 30	30 - 48	NA	+/-3
	4	6 - 15	6 - 21	6 - <24	9 - 26	12 - 28	15 - 28	27 - 42	NA	+/-3
	3	6 - 13	6 - 18	6 - 21	6 - <24	9 - 26	12 - 28	18 - 30	NA	+/-3

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

§ 303.18(b). [School] Youth Enhancement Matrix.

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

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

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

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

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

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Title 204—JUDICIAL SYSTEM
GENERAL PROVISIONS
COMMISSION ON SENTENCING
PART VIII. CRIMINAL SENTENCING
[204 PA. CODE CH. 307]
Adopted Resentencing Guidelines

On March 7, 2019, the Pennsylvania Commission on Sentencing approved for purposes of public comment proposed Resentencing Guidelines. The proposed Guidelines were published in the *Pennsylvania Bulletin* on April 27, 2019. Public hearings were held May 29 (Norristown, Montgomery County), June 6 (Ebensburg, Cambria County), and June 12 (Harrisburg, Dauphin County) of 2019.

On June 13, 2019, the Commission on Sentencing adopted the Resentencing Guidelines. Any proposals adopted by the Commission are submitted to the General Assembly for review by way of publication in the *Pennsylvania Bulletin*, and will become effective 90 days after publication unless rejected by concurrent resolution of the General Assembly.

Resentencing Guidelines, mandated by Act 81 of 2008, require the Commission to

“ . . .adopt guidelines that shall be considered by the court when resentencing an offender following revocation of probation, county intermediate punishment, or state intermediate punishment. The guidelines shall take into account:

- (1) factors considered in adopting the sentencing guidelines,
- (2) the seriousness of the violation, and
- (3) the rehabilitative needs of the defendant” (42 Pa.C.S. § 2154.4).

As no statewide data source existed, the Commission developed a revocation and resentencing module within SGS Web to collect resentencing information. Effective with Amendment 3 of the 7th Edition Sentencing Guidelines, the Commission required “for all sentences imposed on or after January 1, 2016, all subsequent revocations of probation, county intermediate punishment, and state intermediate punishment and related resentences shall be reported to the Commission” (§ 303.1(e)(2)).

The Resentencing Guidelines are informed by an analysis of the revocations and resentences reported to the Commission since 2016 and provides resentencing recommendations for technical violations and conviction violations. These recommendations would apply to revocations of probation, county intermediate punishment, and state intermediate punishment.

Resentencing Guidelines, as adopted by the Commission, are summarized as follows and set forth in Annex A.

JUDGE SHEILA A. WOODS-SKIPPER,
Chair

Commentary on Annex A

This Commentary provides information on the adopted Resentencing Guidelines. The adopted Resentencing Guidelines are set forth in Annex A.

Publication of Adopted Resentencing Guidelines

The adopted Resentencing Guidelines are published in the *Pennsylvania Code* with other documents proposed or adopted by the Commission:

- Chapter 303—Sentencing Guidelines
- Chapter 305—Sentence Risk Assessment Instrument
- Chapter 307—Resentencing Guidelines
- Chapter 309—Parole Guidelines
- Chapter 311—Recommitment Ranges

§ 307.1—Preliminary provisions

This section provides the legislative authority for the adoption of Resentencing Guidelines. Act 81 of 2008, 42 Pa.C.S. § 2154.4, requires the following:

The commission shall adopt guidelines that shall be considered by the court when resentencing an offender following revocation of probation, county intermediate punishment, or state intermediate punishment. The guidelines shall take into account:

- (1) Factors considered in adopting the sentencing guidelines,
- (2) The seriousness of the violation, and
- (3) The rehabilitative needs of the defendant.

This section also sets forth definitions for the terms used in Chapter 307.

§ 307.2—Resentencing Guidelines standards

This section provides the requirements for consideration of the Resentencing Guidelines and the reporting of information to the Commission. As required by the legislation, Resentencing Guidelines shall be considered by the court when imposing a new sentence following revocation of probation, county intermediate punishment or state intermediate punishment. Resentencing Guidelines do not apply to revocations of parole. All revocations of probation, county intermediate punishment and state intermediate punishment and subsequent resentences shall be reported through the Commission's JNET-based SGS Web application.

A Revocation/Resentencing Module was developed within SGS Web, the Commission's JNET-based sentencing application. Counties voluntarily reported revocations and resentences beginning in November of 2011. With 7th Edition Amendment 3 Sentencing Guidelines, the Commission required the reporting any sentence of probation, county intermediate punishment or state intermediate punishment imposed on or after January 1, 2016 that was subsequently revoked and the reporting of the resentence. These data informed the development of the proposed Resentencing Guidelines. The Commission will continue to utilize this module within SGS Web for the reporting of revocations and resentences.

§ 307.3—Procedures for determining the guideline resentence

This section provides the procedures for determining the guideline resentence recommendation, accounting for the factors considered in the initial sentencing guidelines

and the seriousness of the violation. The initial sentencing guidelines, based on the offense gravity score for the initial conviction offense and the prior record score, as well as any applicable enhancements, serve as the starting point for Resentencing Guidelines, and apply to all technical violations. For more serious conviction violations, the initial sentence recommendation is generally enhanced.

Violations of the terms and conditions of probation, county intermediate punishment or state intermediate punishment are determined by the court following a hearing. A technical violation involved the failure to comply with the terms and conditions of supervision, other than the commission of a new offense for which the offender is convicted in a court of record. A conviction violation involves the failure to comply with terms and conditions through the commission of a new offense during the period of supervision and resulting in a conviction for a misdemeanor or felony in a court of record, whether or not judgement of sentence has been imposed.

§ 307.4—Guideline resentence recommendations

This section recommends consideration of a risk-needs or a risk-needs-responsivity assessment prior to resentencing to address the rehabilitative needs of the offender. Underlying issues of drug or alcohol dependency, mental illness or other needs may be identified through an assessment and may inform decisions at resentencing that reduce the risk of future violations, including new offenses.

When resentencing, this section also requires consideration of the recommendations related to sentencing levels, sentencing programs, aggravated and mitigated circumstances, and economic sanctions provided for in the Sentencing Guidelines.

Resource Utilization

In accordance with 42 Pa.C.S.A. § 2153(a)(15), the Commission is mandated to determine resources required for Resentencing Guidelines. There are currently no resentencing guidelines. Any resentence up to the statutory maximum may be imposed.

The Commission used revocations and resentences reported since January 1, 2016 to help inform the development of the Resentencing Guidelines. Of the Commonwealth's 67 counties, 58 counties reported revocations and resentences. The study included 14,791 first time revocations of probation, county intermediate punishment (CIP), and state intermediate punishment (SIP) and the subsequent resentences, unduplicated and exclusive of split sentences.

Overall, analysis showed that more than 75% of the revoked sentences were Level 1 and 2 of the Sentencing Guidelines, and the majority (83%) were probation sentences. More than half reflected a PRS of 0. Therefore, the original sentences indicate relatively less serious offenses and less serious criminal histories and utilize county resources. Additionally, 78% of the revocations were due to technical violations. The majority of revoked probation and CIP sentences are resented to county incarceration. Most revoked SIP sentences are resented to state incarceration.

Technical Violations

The Commission refers the court to the original Sentencing Guidelines for resentencing purposes for revocations due to technical violations. The proposed Resentencing Guidelines for technical violations are based on the

original offense gravity score and original prior record score. All resentencing alternatives available to the court are the same as the sentencing alternatives available at the time of the initial sentencing.

As the proposed Resentencing Guidelines are the same as the original Sentencing Guidelines, there is no change in resource utilization.

New Offense Conviction Violations

A similar method is used for new offense conviction violations, with one modification. The Commission views new felony and misdemeanor offenses committed and convicted while under supervision as a more serious violation that should be enhanced in resentencing. As with technical violations, the court is referred to the original Sentencing Guidelines using the original offense gravity score. However, the prior record score is increased by one category, up to PRS 5.

The proposed Resentencing Guidelines reflect current resentencing practices. Therefore, no change in resource utilization is anticipated.

Effective Date

Resentencing Guidelines shall become effective January 1, 2020 unless disapproved by the General Assembly, pursuant to 42 Pa.C.S.A. § 2155(b).

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART VIII. CRIMINAL SENTENCING

CHAPTER 307. RESENTENCING GUIDELINES

Sec.

- 307.1. Preliminary provisions.
- 307.2. Resentencing Guidelines standards.
- 307.3. Procedure for determining the guideline sentence.
- 307.4. Guideline sentence recommendations.

§ 307.1. Preliminary provisions.

(a) *Authorization.*

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

(2) The Resentencing Guidelines shall take into account:

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

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

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

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

(3) "Court." A court of record.

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

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

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

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

(8) "Probation." A sentencing alternative as provided in 42 Pa.C.S. § 9722 and imposed pursuant to 42 Pa.C.S. § 9754.

(9) "Resentence." A new sentence imposed following the revocation of probation, county intermediate punishment, or state intermediate punishment. Upon revocation, the sentencing alternatives available to the court shall be the same as were available at the time of the initial sentence.

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

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

(i) 1st generation. "Professional judgment," with assessments based on training and experience;

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

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

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

(12) "Sentencing Guidelines Software Web Application (SGS Web)." A JNET-based application operated by the Commission which includes the modules for Sentencing Guidelines and for Resentencing Guidelines. SGS Web serves as the source of data for the original reported sentence and associated information and the reporting source for revocations and resentences.

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

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

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

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

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

§ 307.2. Resentencing Guidelines standards.

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

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

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

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

(e) Unless otherwise provided by the Commission, the JNET-based Sentencing Guidelines Software Web applica-

tion (SGS Web) shall be used at the court's direction to report all revocations of probation, county intermediate punishment, and state intermediate punishment and related resentences to the Commission. The information shall be electronically submitted to the Commission via SGS Web no later than 30 days after the date of resentencing.

§ 307.3. Procedure for determining the guideline resentence.

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

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

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

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

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

§ 307.4. Guideline resentence recommendations.

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

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

[Pa.B. Doc. No. 19-1357. Filed for public inspection September 6, 2019, 9:00 a.m.]

COMMISSION ON SENTENCING

Meeting Scheduled

The Commission on Sentencing announces the following special meeting for the purpose of electing a Chairperson and Vice Chairperson and for the approval of by-laws:

Tuesday, October 1, 2019	1 p.m.	Duquesne University School of Law Room 304 Hanley Hall Pittsburgh, PA
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MARK H. BERGSTROM,
Executive Director

[Pa.B. Doc. No. 19-1358. Filed for public inspection September 6, 2019, 9:00 a.m.]

THE COURTS

Title 255—LOCAL COURT RULES

ADAMS COUNTY

New Rule of Judicial Administration 1950; Administrative Order Number 13 of 2019

Order of Court

And Now, this 21st day of August, 2019, the Court hereby creates Rule 1950 of the Adams County Rules of Judicial Administration as follows:

Rule 1950. Sound System in Courtroom.

Unless directed otherwise by the presiding judge or presiding magisterial district judge during a proceeding, the management of a sound system in a courtroom, including the ability to control power to microphones, shall only be performed by the presiding judge or magisterial district judge, a tipstaff, personal staff of the presiding judge or magisterial district judge, or authorized court administration staff. Under no circumstances shall attorneys, agencies representatives, parties to a proceeding, or any other person touch the sound system, turn off or otherwise adjust a live microphone on the bench, an attorney table, a podium used to address the Court or a witness box. The only exception to this Rule shall be when an attorney, agency representative or party to a proceeding needs to temporarily mute a microphone to speak off the record, which said microphone shall be immediately unmuted once back on the record.

This rule shall become effective after all the provisions of the Pennsylvania Rules of Judicial Administration 103 are met, to include the following:

- a. Two (2) certified copies of this Order together with a computer diskette that complies with the requirement of 1 Pa. Code § 13.11(b), or other compliant format, containing the text of the local rule(s) adopted hereby shall be distributed to the Legislative Reference Bureau for
- b. publication in the *Pennsylvania Bulletin*;
- c. One copy of this Order shall be forwarded to the Administrative Office of the Pennsylvania Courts via e-mail to adminrules@pacourts.us;
- d. A copy of the proposed local rule(s) shall be published on the 51st Judicial District website;
- e. This Order shall be filed in the Office of the Prothonotary of Adams County and a copy thereof shall be filed with the Adams County Clerk of Courts and the Adams County Law Library for inspection and copying;
- f. The effective date of the local rule(s) shall be 30 days after publication in the *Pennsylvania Bulletin*.

By the Court

MICHAEL A. GEORGE,
President Judge

[Pa.B. Doc. No. 19-1359. Filed for public inspection September 6, 2019, 9:00 a.m.]

Title 255—LOCAL COURT RULES

BEAVER COUNTY

Local Rule of Criminal Procedure L.R. 117; No. CP-04-AD-91-2019

Administrative Order

It is hereby Ordered and Directed that Local Rule of Criminal Procedure L.R. 117 be amended as follows:

LOCAL RULES OF CRIMINAL PROCEDURE

Deleted text is bold and bracketed. New text is bold and underlined.

Rule 117. Coverage Magisterial District Judges.

(1) All Magisterial District Judge Offices shall be open for regular business on Mondays through Fridays from 8:30 A.M. to 4:30 P.M. prevailing time.

(2) Magisterial District Judges shall be available 24 hours per day, every day of the calendar year to provide continuous coverage for the issuance of warrants, pursuant to Pa.R.Crim.P. 203; arrest warrants pursuant to Pa.R.Crim.P. 513; requests to accept bail and to issue emergency orders under the Protection from Abuse Act. The Magisterial District Judges shall satisfy this rule by remaining on-call during non-regular business hours on a rotating basis pursuant to a schedule prepared by the Court Administrator. The schedule shall be distributed and publicized pursuant to past practice.

(3) Magisterial District Judges shall be available during non-regular business hours each day at [**7:30 A.M., 2:00 P.M. and 10:00 P.M.**] **8:30 A.M. and 8:30 P.M.** for the purpose of providing the services set forth in Pa.R.Crim.P. 117(A)(2)(a), (b), (c) and (d). The availability of each Magisterial District Judge shall be on a rotating basis pursuant to the same schedule proposed pursuant to subdivision (2) and shall be publicized pursuant to past practice.

(4) Magisterial District Judges shall be available during regular business hours for all other business.

(5) Each Magisterial District Judges shall be available to preside over preliminary hearings at the Beaver County Courthouse, or such other location that may be established for "Central Court", on a rotating basis pursuant to a schedule prepared by the Court Administrator.

The Beaver County District Court Administrator is Directed to:

1. file one (1) copy of the Local Rules with the Administrative Office of Pennsylvania Courts via email to adminrules@pacourts.us.
2. file two (2) paper copies and one (1) electronic copy of the Local Rules in a Microsoft Word format only to bulletin@palrb.us with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
3. publish the Local Rules on the Court of Common Pleas of Beaver County website at <http://www.beavercountypa.gov/Depts/Courts>.
4. incorporate the Local Rules into the Local Rules of this Court within thirty (30) days after publication of the Local Rules in the *Pennsylvania Bulletin*.

5. file one (1) copy of the Local Rules in all appropriate filing offices and the Beaver County Law Library for public inspection and copying.

Said Amendments to the Local Rules of Judicial Administration shall be effective thirty (30) days after publication in the *Pennsylvania Bulletin* and upon publication on the Beaver County website.

By the Court

RICHARD MANCINI,
President Judge

[Pa.B. Doc. No. 19-1360. Filed for public inspection September 6, 2019, 9:00 a.m.]

Title 255—LOCAL COURT RULES

WASHINGTON COUNTY

Adoption of Local Civil Rule 1915.11.1—Parenting Coordination; No. 2019-1

Order

And Now, this 14th day of August, 2019, it is hereby *Ordered, Adjudged, and Decreed* that the following Washington County Local Rule of Civil Procedure is hereby adopted, effective thirty (30) days after publication of this *Order* in the *Pennsylvania Bulletin*.

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

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

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

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

By the Court

KATHERINE B. EMERY,
President Judge

Rule 1915.11.1. Parenting Coordination.

(a) *Appointment of a Parenting Coordinator.*

(1) If the parties agree on a Parenting Coordinator or if the Court deems one necessary, an order will be entered in accordance with Pa.R.Civ.P. 1915.22.

(2) If the parties cannot agree on the selection of a Parenting Coordinator, the Court shall require each party to identify his/her choice(s) along with the hourly rate of each to all parties. If the parties cannot agree, the Court will select a Parenting Coordinator. The roster of the Court's approved Parenting Coordinators and their stated hourly rates shall be posted in the office of the Court Administrator-Civil Division and on the website of the Twenty-Seventh Judicial District at www.washingtoncourts.us.

(3) Any party seeking a reduced fee under section (d) below must seek leave to proceed in forma pauperis in accordance with local Rule 240.

(b) *Roster of Approved Parenting Coordinators.*

An attorney or mental health professional seeking to be included on the roster of the Washington County Court's roster of qualified individuals to serve as a Parenting Coordinator shall submit a letter to the Court Administrator-Civil Division together with the following:

(1) An affidavit attesting the applicant has the qualifications found in Pa.R.Civ.P. 1915.11;

(2) Pennsylvania Act 33 child abuse and Act 34 criminal history clearances, within the past two (2) years;

(3) An acknowledgement that the applicant has read and will follow the Association of Family and Conciliation Courts (AFCC) Parenting Coordinator guidelines and the American Psychological Association (APA) Parenting Coordinator Guidelines. The former are posted at <https://www.afccnet.org/Portals/0/AFCCGuidelinesforParentingcoordinationnew.pdf>. The latter are found at <https://www.apa.org/pubs/journals/features/parenting-coordination.pdf>; and

(4) An acknowledgment of responsibility to accept reduced fee assignments for every three (3) full fee appointments taken. Appointments for reduced fee assignments will be made on a rotating basis for all Parenting Coordinators on the Court's roster.

(c) *Parenting Coordinator Recommendations.*

(1) In addition to providing the same to the parties and the assigned Judge, a Parenting Coordinator shall file his or her Summary and Recommendations with the Prothonotary within two (2) days after the last communication with the parties on the issues in accordance with Pa.R.Civ.P. 1915.11-1(f)(2). A Proof of Service shall also be filed. Copies of both documents shall also be provided to the Court Administrator-Civil Division.

(2) *Objections to Parenting Coordinator's Recommendation(s) and Petition for a Record Hearing.*

a. A party objecting to the Recommendations must file with the Prothonotary an original and a copy of his or her Objections and a Petition for a Record Hearing before the Court within five (5) days of service of the Summary and Recommendations together with a Proof of Service upon all parties and the Parenting Coordinator. Copies shall also be provided to the assigned Judge and the Court Administrator-Civil Division.

b. The assigned Judge shall schedule a record hearing as soon as practical on the objections.

c. If timely objections are filed, the Parenting Coordinator's Recommendation may be entered as an interim order by the assigned Judge pending final disposition.

(3) *Court Review of Parenting Coordinator's Recommendations.*

If no objections to the Parenting Coordinator's Recommendation are filed with the Prothonotary within five (5) days of service of the Summary and Recommendation, the assigned Judge will review the Recommendation in accordance with Pa.R.Civ.P. 1915.11-1(f)(4).

(d) *Fees.*

Parties who request the appointment of a Parenting Coordinator or who are identified by the Court as benefiting from the appointment of a Parenting Coordinator shall pay the Parenting Coordinator as follows:

(1) Up to \$150.00 an hour;

(2) The assigned Judge shall initially allocate the fees between the parties, but they may be reallocated as deemed appropriate by the Parenting Coordinator or the Court at a later date. See Pa.R.Civ.P. 1915.22(8).

(3) If, after a review of the In Forma Pauperis (IFP) petition, the parties' combined gross income and family size is at or below the Federal Poverty Guidelines, the Parenting Coordinator's fee shall be pro bono. If, after a

review of the In Forma Pauperis (IFP) petition, the parties' combined gross income and family size is between the Federal Poverty Guidelines and 150% of the Federal Poverty Guidelines, the Parenting Coordinator's fee shall be 50% of his or her hourly rate. All other litigants shall pay the full fee.

[Pa.B. Doc. No. 19-1361. Filed for public inspection September 6, 2019, 9:00 a.m.]

PROPOSED RULEMAKING

FISH AND BOAT COMMISSION

[58 PA. CODE CH. 65]

Fishing; Special Fishing Regulations

The Fish and Boat Commission (Commission) proposes to amend Chapter 65 (relating to special fishing regulations) to read as set forth in Annex A. The Commission is publishing this proposed rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code). The proposed amendments update the Commission's list of waters subject to special fishing regulations.

A. Effective Date

This proposed rulemaking, if approved on final-form rulemaking, will go into effect upon publication in the *Pennsylvania Bulletin*.

B. Contact Person

For further information on this proposed rulemaking, contact Wayne Melnick, Esq., P.O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This proposed rulemaking is available on the Commission's web site at www.fishandboat.com.

C. Statutory Authority

The proposed amendments to § 65.24 (relating to miscellaneous special regulations) are published under the statutory authority of section 2307 of the code (relating to waters limited to specific purposes).

D. Purpose and Background

The specific purpose and background of the proposed amendments is described in more detail under the summary of proposal.

E. Summary of Proposal

Minsi Lake, a 122-acre fertile impoundment owned by the Commonwealth and managed by the Commission, is located in Upper Mount Bethel Township in Northampton County, approximately 3.1 miles northeast of the Borough of Bangor. This reservoir was completely dewatered in June 2017 to complete dam and spillway repairs and modifications per Department of Environmental Protection dam safety standards. The earth-fill dam impounds the East Fork Martins Creek at river-mile 2.3 upstream from its confluence with the West Fork Martins Creek. Prior to the drawdown in 2017, the lake offered angling opportunities for multiple warm-water and cool-water fish species, as well as adult trout stocked by the Commission. Dam and spillway repairs are expected to be completed by early-winter 2019 with refilling initiated soon after.

The Commission plans to initiate stocking the lake beginning in spring 2020 or as soon as refilling conditions allow with fingerling plants of select fish species to establish a high quality warm-water and cool-water fishery. Immediately upon refilling of the lake, staff propose to open the lake to fishing under a miscellaneous special regulation that will allow for the harvest of trout under Commonwealth Inland Waters angling regulations but allow only catch and release fishing for all other fish species. Commission staff believe that this approach will allow for the most rapid development of a balanced warm-water and cool-water fish community, while offering acceptable levels of recreational angling opportunities. Fisheries Management staff will monitor the fish populations as needed while they develop and make necessary

modifications to the species stocked and recommend adjustments to the regulations governing fish harvest to the Board of Commissioners to continually provide high quality recreational angling opportunities at Minsi Lake. Once the warm-water fishery has been reestablished, the lake will be recommended for removal from the miscellaneous special regulation and inclusion in one of the Commission's existing warm-water regulation programs.

The Commission proposes that § 65.24 be amended to read as set forth in Annex A.

F. Paperwork

This proposed rulemaking will not increase paperwork and will not create new paperwork requirements.

G. Fiscal Impact

This proposed rulemaking will have no adverse fiscal impact on the Commonwealth or its political subdivisions.

H. Public Comments

Interested persons are invited to submit written comments, objections or suggestions about this proposed rulemaking to the Executive Director, Fish and Boat Commission, P.O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically by completing the form at www.fishandboat.com/regcomments. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

TIMOTHY D. SCHAEFFER,
Executive Director

Fiscal Note: 48A-292. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

Subpart B. FISHING

CHAPTER 65. SPECIAL FISHING REGULATIONS

§ 65.24. Miscellaneous Special Regulations.

The following waters are subject to the following miscellaneous special regulations:

<i>County</i>	<i>Name of Water</i>	<i>Special Regulations</i>
	* * *	* *
Monroe and Pike	Delaware Water Gap National Recreation Area	The use of eel chutes, eelpots and fyke nets is prohibited. The taking of the following fishbait is prohibited: crayfish or

County	Name of Water	Special Regulations
		crabs, mussels, clams and the nymphs, larva and pupae of all insects spending any part of their life cycle in the water. The taking, catching, killing and possession of any species of amphibians or reptiles within the boundaries of the Delaware Water Gap National Recreation Area is prohibited.
Northampton	Minsi Lake	All species except trout—catch and release/no harvest; it is unlawful to take, kill or possess any fish except trout. All fish caught other than trout must be immediately returned unharmed. Trout—inland regulations apply. See § 61.1. This miscellaneous special regulation will remain in effect until further notice.
Somerset, Fayette, Westmoreland and Allegheny	Youghiogheny River from confluence with Casselman River downstream to the confluence with Ramcat Run Youghiogheny River from the pipeline crossing at the confluence with Lick Run downstream to the mouth of the river.	Trout (all species)—no closed season. Daily limit: First Saturday after April 11 until Labor Day—5 trout per day; day after Labor Day to first Saturday after April 11 of the following year—3 trout per day. Inland regulations apply to warmwater/coolwater species.
* * *	* * *	* * *

[Pa.B. Doc. No. 19-1362. Filed for public inspection September 6, 2019, 9:00 a.m.]

FISH AND BOAT COMMISSION

[58 PA. CODE CH. 65]

Fishing; Special Fishing Regulations

The Fish and Boat Commission (Commission) proposes to amend Chapter 65 (relating to special fishing regulations) to read as set forth in Annex A. The Commission is publishing this proposed rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code). The

proposed amendments update the Commission’s list of waters subject to special fishing regulations.

A. Effective Date

This proposed rulemaking, if approved on final-form rulemaking, will go into effect upon publication in the *Pennsylvania Bulletin*.

B. Contact Person

For further information on this proposed rulemaking, contact Wayne Melnick, Esq., P.O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This proposed rulemaking is available on the Commission’s web site at www.fishandboat.com.

C. Statutory Authority

The proposed amendments to § 65.24 (relating to miscellaneous special regulations) are published under the statutory authority of section 2307 of the code (relating to waters limited to specific purposes).

D. Purpose and Background

The specific purpose and background of the proposed amendments is described in more detail under the summary of proposal.

E. Summary of Proposal

Donegal Lake, a 90-acre impoundment owned by the Commonwealth and managed by the Commission, is located in Donegal Township, Westmoreland County, approximately 1.2 miles northeast of the Borough of Donegal. This reservoir was completely dewatered during fall 2016 to complete a control tower, dam and spillway repairs, and modifications per Department of Environmental Protection dam safety standards. The earth-fill dam, constructed in 1967, impounds Fourmile Run at river-mile 13.0 upstream from its confluence with Loyalhanna Creek at river-mile 32.7. Prior to the drawdown in 2016, the lake offered angling opportunities for multiple warm-water and cool-water fish species, as well as adult trout stocked by the Commission. Dam and spillway repairs are expected to be completed by early-winter 2019 with refilling initiated soon after.

The Commission plans to initiate stocking the lake beginning in spring 2020 or as soon as refilling conditions allow with fingerling plants of select fish species to establish a high quality warm-water fishery. Immediately upon refilling of the lake, staff propose to open the lake to fishing under a miscellaneous special regulation that will allow for the harvest of trout under Commonwealth Inland Waters angling regulations but allow only catch and release fishing for all other fish species. Commission staff believe that this approach will allow for the most rapid development of a balanced warm-water and cool-water fish community, while offering acceptable levels of recreational angling opportunities. Fisheries Management staff will monitor the fish populations as needed while they develop and make necessary modifications to the species stocked and recommend adjustments to the regulations governing fish harvest to the Board of Commissioners to continually provide high quality recreational angling opportunities at Donegal Lake. Once the warm-water fishery has been reestablished, the lake will be recommended for removal from the miscellaneous special regulation and inclusion in one of the Commission’s existing warm-water regulation programs.

The Commission proposes that § 65.24 be amended to read as set forth in Annex A.

F. Paperwork

This proposed rulemaking will not increase paperwork and will not create new paperwork requirements.

G. Fiscal Impact

This proposed rulemaking will have no adverse fiscal impact on the Commonwealth or its political subdivisions.

H. Public Comments

Interested persons are invited to submit written comments, objections or suggestions about this proposed rulemaking to the Executive Director, Fish and Boat Commission, P.O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically by completing the form at www.fishandboat.com/regcomments. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

TIMOTHY D. SCHAEFFER,
Executive Director

Fiscal Note: 48A-293. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

Subpart B. FISHING

CHAPTER 65. SPECIAL FISHING REGULATIONS

§ 65.24. Miscellaneous Special Regulations.

The following waters are subject to the following miscellaneous special regulations:

<i>County</i>	<i>Name of Water</i>	<i>Special Regulations</i>
* * *	* *	
Wayne	West Branch Delaware River	Trout: From the Pennsylvania/New York border downstream to the confluence with the East River Branch of the Delaware River: no-harvest artificial lures only season on trout from October 16 until midnight of the Friday before the first Saturday after April 11. During the no-harvest artificial lures only season: 1. Fishing may be done with artificial lures only, constructed of metal, plastic, rubber

<i>County</i>	<i>Name of Water</i>	<i>Special Regulations</i>
		or wood, or flies or streamers constructed of natural or synthetic materials. Lures may be used with spinning or fly fishing gear. Use or possession of any other lures or substances is prohibited. 2. The daily creel limit for trout is 0.
Westmoreland	Donegal Lake	All species except trout—catch and release/no harvest; it is unlawful to take, kill or possess any fish except trout. All fish caught other than trout must be immediately returned unharmed. Trout—inland regulations apply. See § 61.1. This miscellaneous special regulation will remain in effect until further notice.

[Pa.B. Doc. No. 19-1363. Filed for public inspection September 6, 2019, 9:00 a.m.]

FISH AND BOAT COMMISSION

[58 PA. CODE CH. 119]

Motorboat Noise Control

The Fish and Boat Commission (Commission) proposes to amend Chapter 119 (relating to motorboat noise control) to read as set forth in Annex A. The Commission is publishing this proposed rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code). The proposed amendments update the Commission's methods for enforcement of motorboat noise control.

A. *Effective Date*

This proposed rulemaking, if approved on final-form rulemaking, will go into effect upon publication in the *Pennsylvania Bulletin*.

B. *Contact Person*

For further information on this proposed rulemaking, contact Wayne Melnick, Esq., P.O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This proposed rulemaking is available on the Commission's web site at www.fishandboat.com.

C. *Statutory Authority*

The proposed amendments to §§ 119.3, 119.6 and 119.8 (relating to prohibited acts; pass-by test; and enforcement) are published under the statutory authority of section 5123 of the code (relating to general boating regulations).

D. Purpose and Background

The specific purpose and background of the proposed amendments is described in more detail under the summary of proposal.

E. Summary of Proposal

Over the last several boating seasons the Commission has received multiple complaints about motorboat noise levels and a request for more enforcement. Under 58 Pa. Code Chapter 119, regulations requiring mufflers and various noise levels for motorboats were established in June 1994. This proposed rulemaking package was based on a model act provided by the National Association of State Boating Law Administrators (NASBLA). Even though the Commission adopted most of the recommendations from NASBLA, determining if a boat is in violation of the regulation is very subjective. Additionally, standards adopted have never truly been enforceable due to the lack of training and device guidelines.

Starting in 2018, the Commission staff began exploring the standards used and regulations in place in other states. It is believed with a few minor language adjustments the Commission will be able to establish a training program utilizing recognized devices and be able to better address the complaints from around the waterways in this Commonwealth. This amendment was vetted and approved by the Boating Advisory Board on June 27, 2019.

The Commission proposes that §§ 119.3, 119.6 and 119.8 be amended to read as set forth in Annex A.

F. Paperwork

This proposed rulemaking will not increase paperwork and will not create new paperwork requirements.

G. Fiscal Impact

This proposed rulemaking will have no adverse fiscal impact on the Commonwealth or its political subdivisions.

H. Public Comments

Interested persons are invited to submit written comments, objections or suggestions about this proposed rulemaking to the Executive Director, Fish and Boat Commission, P.O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically by completing the form at www.fishandboat.com/regcomments. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

TIMOTHY D. SCHAEFFER,
Executive Director

Fiscal Note: 48A-291. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

Subpart C. BOATING

CHAPTER 119. MOTORBOAT NOISE CONTROL

§ 119.3. Prohibited acts—**5123(a)3 and 5.**

(a) A person may not operate and an owner may not give permission for the operation of a motorboat upon the waters of this Commonwealth that is equipped with an altered muffler or a muffler cutout, bypass or other device designed or so installed so that it can be used continually or intermittently to bypass or otherwise reduce or eliminate the effectiveness of a muffler or muffler system installed under this chapter.

* * * * *

§ 119.6. Pass-by test—**5123(a)3.**

A person may not operate a motorboat on the waters of this Commonwealth that exceeds a noise level of 82dB(a) measured as specified in SAE [**J34**] **J1970**. The measurement may not preclude a stationary sound level test as prescribed in § 119.5 (relating to stationary test) if an officer has reason to believe that the motorboat is being operated in excess of the noise levels established in § 119.5.

§ 119.8. Enforcement.

(a.) An officer authorized to enforce this chapter who has reason to believe that a [**vessel**] **motorboat** is being operated in excess of the noise levels established in this chapter may direct the operator of the [**vessel**] **motorboat** to submit the [**vessel**] **motorboat** to an onsite test to measure noise levels. If the [**vessel**] **motorboat** exceeds the decibel levels established by this chapter, the officer may direct the operator to take immediate and reasonable measures to correct the violation, including returning the [**vessel**] **motorboat** to a mooring and keeping the [**vessel**] **motorboat** at the mooring until the violation is corrected or ceases.

(b.) Any law enforcement officer who conducts motorboat noise level tests as provided in this chapter shall be qualified in motorboat noise testing by the Commission. These qualifications shall include but are not limited to the selection of the measurement site, and the calibration and use of noise testing equipment.

(c.) Measurements for either a Stationary or Pass-by Test will be made by a sound level meter which satisfies ANSI-S 1.4-1983, Type 2 or equivalent.

[Pa.B. Doc. No. 19-1364. Filed for public inspection September 6, 2019, 9:00 a.m.]

NOTICES

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 August 27, 2019.

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>
08-19-2019	Pennian Bank Mifflintown Juniata County	559 North 12th Street Lemoyne Cumberland County	Opened
08-21-2019	The Muncy Bank and Trust Company Muncy Lycoming County	2190 Route 54 Montgomery Lycoming County	Approved
08-23-2019	Mars Bank Mars Butler County	109 South Broad Street Grove City Mercer County	Approved

CREDIT UNIONS

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
8-23-2019	Freedom Credit Union Warminster Bucks County	2333-47 Fairmount Avenue Philadelphia Philadelphia County	Filed
8-23-2019	Freedom Credit Union Warminster Bucks County	9910 Frankford Avenue Philadelphia Philadelphia County	Filed

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

ROBIN L. WIESSMANN,
Secretary

[Pa.B. Doc. No. 19-1365. Filed for public inspection September 6, 2019, 9:00 a.m.]

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Manufactured Housing Installation Program; Installer Training and Certification

Under 12 Pa. Code § 149.4(a)(4) (relating to installer training and certification), the Department of Community and Economic Development (Department) has modified the installation program regarding the training and certification of manufactured home installers.

Beginning October 1, 2019, the Department will no longer be providing training and certification of manufac-

tured home installers and will begin to transition to the United States Department of Housing and Urban Development (HUD) Manufactured Home Installer License (as provided under 24 CFR Part 3286 (relating to Manufactured Home Installation Program)) as a requirement for persons wishing to install manufactured housing in this Commonwealth.

Currently issued Pennsylvania Manufactured Home Installers Certifications will remain in effect until the expiration date indicated on the certificate.

To be eligible to apply for the HUD installers license, installers must complete a HUD approved 12-hour training course. Visit the SEBA Professional Services web site for the approved curricula and other informa-

tion regarding the HUD installers license at <https://manufacturedhousinginstallation.com/>.

In addition to the available courses online, traditional classroom style courses are being scheduled in the following counties in this Commonwealth: Clarion, Cumberland or Dauphin, Lehigh and Lycoming. Once these courses have been scheduled, the Department will publish these courses on their web site at <https://dced.pa.gov/housing-and-development/manufactured-housing/>.

The Pennsylvania Certificate of Compliance (DCED-HS-003 Form) will continue to be required for the installation of all manufactured homes until October 1, 2020. Effective October 1, 2020, the Pennsylvania Certificate of Compliance will be limited to signify the proper installation of relocated manufactured homes. Likewise, effective October 1, 2020, manufactured home installers will be required to complete the HUD Form 309 for the installation of new manufactured homes.

Manufactured home retailers selling new homes for installation in this Commonwealth must comply with the HUD manufactured home reporting requirements on October 1, 2020.

Retailers and installers should refer to the HUD Installation Program Regulations, 24 CFR Part 3286, at <https://www.ecfr.gov/cgi-bin/text-idx?SID=a2c5655a37054c584f7dd6a0ed240fb8&node=pt24.5.3286&rgn=div5>.

Effective October 1, 2019, code officials in this Commonwealth who inspect manufactured home installations may accept Pennsylvania Certificates of Compliance submitted by persons holding either a current HUD issued installers license or a Pennsylvania installers certification. The Department will continue to provide training to local code officials. New manufactured homes will continue to be installed in accordance with the approved manufacturer's installation designs and the Department guidelines remain in effect for relocated manufactured homes.

Program inquiries should be directed to Michael Moglia, Housing Standards Division, Office of Community Enhancement, Department of Community and Economic Development, Commonwealth Keystone Building, 4th Floor, 400 North Street, Harrisburg, PA 17120, (717) 720-7416, mmoglia@pa.gov.

DENNIS M. DAVIN,
Secretary

[Pa.B. Doc. No. 19-1366. Filed for public inspection September 6, 2019, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Index Calculation Required by Special Session Act 1 of 2006

Under section 333(l) of the Taxpayer Relief Act (53 P.S. § 6926.333(1)), the Department of Education (Department) has calculated the index for Fiscal Year (FY) 2020-2021.

The index is the average of the percentage increase in the Statewide average weekly wage and the Employment Cost Index. For FY 2020-2021, the base index is 2.6%.

For school districts with a market value/income aid ratio greater than 0.4000, an adjusted index will be posted on the Department's web site at www.education.pa.gov by September 30, 2019.

PEDRO A. RIVERA,
Secretary

[Pa.B. Doc. No. 19-1367. Filed for public inspection September 6, 2019, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

APPLICATIONS FOR NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS

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

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

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

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

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

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

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

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

I. NPDES Renewal Applications.

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PAS603505 (Storm Water)	J & K Salvage Yard 1099 Kings Mill Road York, PA 17403-3485	York County Spring Garden Township	Codorus Creek (WWF, MF), Unnamed Tributary to Codorus Creek (WWF, MF), and Codorus Creek (WWF) (7-H)	Yes

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0043435 (Sewage)	L & S Wastewater Inc. STP Parkwood Circle Canonsburg, PA 15317	Washington County Cecil Township	Drainage Swale to a UNT of Coal Run (WWF) (20-F)	Yes
PA0092487 (Sewage)	Ninos Restaurant STP 546 Three Mile Hill Road Mt Pleasant, PA 15666-8874	Fayette County Bullskin Township	Unnamed Tributary to Jacobs Creek (CWF) (19-D)	Yes
PA0254126 (Sewage)	Hensel Community STP 115 Hamel Lane Johnstown, PA 15905	Cambria County Upper Yoder Township	Unnamed Tributary of Dalton Run (HQ-CWF) (18-E)	Yes

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

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

PA0266965, Sewage, SIC Code 8800, **Kenneth L Mansfield**, 711 Opossum Lake Road, Carlisle, PA 17015. Facility Name: Mansfield Residence. This proposed facility is located in West Pennsboro Township, **Cumberland 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), Conodoguinet Creek (WWF, MF), is located in State Water Plan watershed 7-B and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
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

Sludge use and disposal description and location(s): Sludge will be hauled off site via a local septic hauler to another treatment facility for ultimate treatment/disposal.

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.

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

PA0272175, Sewage, SIC Code 8800, **Scott Jackson & Scott Taylor**, 1525 Three Degree Road, Mars, PA 16046 and 5535 Sterrettania Road, Erie, PA 16506. Facility Name: Scott Jackson & Scott Taylor SFTF. This proposed facility is located in Springfield Township, **Erie County**.

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

The receiving stream(s), Unnamed Tributary to Lake Erie, 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 0.0006 MGD.

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

Sludge use and disposal description and location(s): Septage must be pumped and hauled off-site by a septage hauler for land application under a general permit authorized by PADEP or disposal at an STP.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6340.

The EPA Waiver is in effect.

PA0272264, Sewage, SIC Code 8800, **Phillip Hosack**, 217 Old Sharon Road, Mercer, PA 16137. Facility Name: Phillip Hosack SRSTP. This proposed facility is located in Springfield 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, an Unnamed Tributary to Lake Erie (CWF, MF), 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)		Instant. Maximum
	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	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Annual Average	Maximum	
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

Sludge use and disposal description and location(s): Septage must be pumped and hauled off-site by a septage hauler for land application under a general permit authorized by DEP, or disposal at an STP.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6340.

The EPA Waiver is in effect.

PA0272426, Sewage, SIC Code 8800, **Gary McCleary**, 1525 Greenville Mercer Road, Mercer, PA 16137-1827. Facility Name: Gary McCleary SRSTP. This proposed facility is located in Jefferson Township, **Mercer 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 Otter Creek (TSF), is located in State Water Plan watershed 20-A 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 .0004 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	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
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report	XXX	XXX
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

Sludge use and disposal description and location(s): Septage must be pumped and hauled off-site by a septage hauler for land application under a general permit authorized by DEP or disposal at an STP.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6340.

The EPA Waiver is in effect.

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

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

WQM Permit No. 0605411, Sewerage, **Amity Township**, 2004 Weavertown Road, Douglassville, PA 19518-8971.

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

Description of Proposed Action/Activity: Seeking permit approval for converting two (2) existing primary clarifiers into aerobic digesters and replacing existing emergency generators with one emergency generator to serve the entire treatment plant.

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

WQM Permit No. 6319410, Sewage, **South Franklin Township**, 100 Municipal Road, Washington, PA 15301.

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

Description of Proposed Action/Activity: Proposed construction of new Sewage Treatment Plant, Pump Station, and Sanitary Sewers in the Lagonda Airport Area of South Franklin Township.

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

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

WQM Permit No. 3219402, Sewage, **Randy Corosu**, 11516 Five Points Road, Home, PA 15747.

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

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

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

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

PAI133537, MS4, Upper Leacock Township Lancaster County, 36 Hillcrest Avenue, Leola, PA 17540-1810. The application is for a new individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Upper Leacock Township, **Lancaster County**. The receiving stream(s), Unnamed Tributary to Conestoga River (WWF, MF), Conestoga River (WWF, MF), and Unnamed Tributary of Mill Creek (WWF, MF), is located in State Water Plan watershed 7-J and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

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

- A Pollutant Reduction Plan (PRP)
- A Total Maximum Daily Load (TMDL) Plan

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

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

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

Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Carbon County Conservation District, 5664 Interchange Road, Lehigh, PA 18235.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD130021	Broad Mtn Power LLC C/O Algonquin Power 345 Davis Rd Ste 100 Oakville, ON L6J2X1	Carbon	Nesquehoning Boro Packer Twp	1A. UNT to Nesquehoning Creek (CWF, MF) 1B. UNT to Nesquehoning Creek (CWF, MF) 2. Nesquehoning Creek (CWF, MF) 3. UNT to Dennison Run (EV, MF) 4. UNT to Dennison Run (EV, MF)

Lehigh County Conservation District, 4184 Dorney Park Road, Suite 105, Allentown, PA 18401.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD390134	Phoebe Richland Care Center 1925 Turner St Allentown, PA 18104	Lehigh	Emmaus Boro	UNT to Leibert Creek (HQ-CWF, MF)

Monroe County Conservation District, 8050 Running Valley Road, Stroudsburg, PA 18347.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD450095	Zeljko Ugarkovic 2157 Mtn Rd Stroudsburg, PA 18360	Monroe	Jackson Twp	UNT to Appenzell Creek (HQ-CWF, MF)
PAD450094	Blakeslee DG LLC 361 Summit Blvd Ste 110 Birmingham, AL 35243	Monroe	Tunkhannock Twp	Keiper Run (HQ-CWF, MF)

Northampton County Conservation District, 14 Gracedale Ave., Greystone Building, Nazareth, PA 18064-9211.

NPDES

Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAD480105	JG Petrucci Co Inc C/O Joseph Correia 171 Rt 173 Asbury, NJ 08802	Northampton	Bushkill Twp Plainfield Twp	Bushkill Creek (HQ-CWF, MF)

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

Permit #	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAD500007	Merlin Shirk 41 Polecat Road Landisburg, PA 17040	Perry	Spring Township	UNT Green Valley Run (CWF) EV Wetlands
PAD360046	SFP Properties 575 Nottingham Road Peach Bottom, PA 17563	Lancaster	Fulton Township	UNT Conowingo Creek (HQ-CWF)
PAD210040	S&A Homes, Inc. 2121 Old Gatesburg Road Suite 200 State College, PA 16801	Cumberland	South Middleton Township	Letort Spring Run (EV)

Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Dana Drake, Waterways and Wetlands Program Manager, 412-442-4000.

Permit No.	Applicant & Address	County	Municipality	Stream Name
PAD630041	North Strabane Township 1929 Route 519 Canonsburg, PA 15317	Washington	North Strabane Township	Little Chartiers Creek (HQ-WWF)

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

Butler County Conservation District, 120 Hollywood Drive, Suite 201, Butler, PA 16001, 724-284-5270.

NPDES

Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAD100008	Weaver Master Builders DBA Weaver Homes P.O. Box 449 Mars, PA 16055	Butler	Buffalo Township	UNT to Little Buffalo Creek HQ-TSF

STATE CONSERVATION COMMISSION

PROPOSED NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs

This notice provides information about agricultural operations that have submitted nutrient management plans (NMPs) for approval under 3 Pa.C.S. Chapter 5 and that have or anticipate submitting applications for new, amended or renewed NPDES permits, or Notices of Intent (NOIs) for coverage under a general permit, for CAFOs, under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Based upon preliminary reviews, the State Conservation Commission (SCC) or County Conservation Districts (CCD) working under a delegation agreement with the SCC have completed an administrative review of NMPs described. These NMPs are published as proposed plans for comment prior to taking final actions. The NMPs are available for review at the CCD office for the county where the agricultural operation is located. A list of CCD office locations is available at <http://www.nacdnet.org/about/districts/directory/pa.phtml> or can be obtained from the SCC at the office address listed or by calling (717) 787-8821.

Persons wishing to comment on an NMP are invited to submit a statement outlining their comments on the plan to the CCD, with a copy to the SCC for each NMP, within 30 days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the NMPs. Comments should include the name, address and telephone number of the writer and a concise statement to inform the SCC of the exact basis of the comments and the relevant facts upon which they are based. Comments should be sent to the SCC, Agriculture Building, Room 310, 2301 North Cameron Street, Harrisburg, PA 17110.

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

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

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>New or Renewal</i>
Dennis Ulrich 9291/9251 Old Route 22 Bethel, PA 19507	Berks	16.4	269.62	Layers	NA	Renewal

**PUBLIC WATER SUPPLY (PWS)
PERMITS**

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

Persons wishing to comment on permit applications are invited to submit statements to the office listed before the application within 30 days of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding an application. A comment should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

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

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

Persons with a disability that require an auxiliary aid, service or other accommodations to participate during the 30-day public comment period should contact the office listed before the application. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

SAFE DRINKING WATER

Applications Received Under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17).

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

Permit No. 0301503-MA1, Public Water Supply.

Applicant	Kittanning Plumcreek Water Authority
Township or Borough	Kittanning Township
County	Armstrong County
Responsible Official	Robert Kozicki
Type of Facility	Public Water Supply

Consulting Engineer	Kevin Szakelyhidi Bankson Engineers 267 Blue Run Road Cheswick, PA 15024
Application Received Date	August 22, 2019
Description of Action	Maintenance to existing water storage tank

**LAND RECYCLING AND
ENVIRONMENTAL REMEDIATION**

**UNDER ACT 2, 1995
PREAMBLE 1**

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

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.302—6026.305) require the Department to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. A person intending to use the background standard, Statewide health standard, the site-specific standard or intend to remediate a site as a special industrial area shall file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of cleanup standards or receives approval of a special industrial area remediation identified under the act will be relieved of further liability for the remediation of the site for contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

Under sections 304(n)(1)(ii) and 305(c)(2) of the act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area of the site. For the following site, proposed for remediation

to a site-specific standard or as a special industrial area, the municipality, within which the site is located, may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified as follows. During this comment period, the municipality may request that the person identified as the remediator of the site develop and implement a public involvement plan. Requests to be involved and comments should be directed to the remediator of the site.

For further information concerning the content of a Notice of Intent to Remediate, contact the environmental cleanup program manager in the Department regional office listed before the notice. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following Notices of Intent to Remediate:

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

Lehigh Valley Hospital, 1200 South Cedar Crest Boulevard, Salisbury Township, **Lehigh County**. Moonstone Environmental, LLC, 1150 Glenlivet Drive, Suite A-23, Allentown, PA 18106, on behalf of Lehigh Valley Health Network, 1200 South Cedar Crest Boulevard, Allentown, PA 18103, submitted a Notice of Intent to Remediate. Soil contamination was caused by a release of aviation fuel that was discovered during a construction project. Future use of the site will be residential. The Notice of Intent to Remediate was published in *The Morning Call* on August 15, 2019.

Pen Fern Bulk Plant, 1297 Lower Demunds Road, Dallas Township, **Luzerne County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Pen Fern Oil Company, 1 Sterling Avenue, Dallas, PA 18612, submitted a Notice of Intent to Remediate. Groundwater contamination was caused by a release of heating oil. Future use of the site will be non-residential. The Notice of Intent to Remediate was published in *The Citizens Voice* on July 25, 2019.

Penn Foster, Inc. (former ICS Intext), 925 Oak Street, Scranton City, **Lackawanna County**. Terraphase Engineering, 1100 East Hector Street, Suite 416, Conshohocken, PA 19428, on behalf of Penn Foster, Inc., 925 Oak Street, Scranton, PA 18515, submitted a Notice of Intent to Remediate. Soil and groundwater contamination were caused by a release of number 4 fuel oil from an underground storage tank. Future use of the site will be non-residential. The Notice of Intent to Remediate was published in *The Scranton Times* on August 5, 2019.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Application(s) for Determination of Applicability administratively complete under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste other than Coal Ash.

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

General Permit No. WMGR081SW004. West Penn Metals Recycling LLC, 2303 Route 66, Delmont, PA 15626-1457. An application for a Determination of Applicability under residual waste General Permit WMGR081 for the processing and beneficial use of waste electronics at 2303 Route 66, Delmont, PA 15626-1457 in Salem Township, **Westmoreland County**, was received on August 9, 2019 and deemed administratively complete by the Regional Office on August 23, 2019.

Persons interested in reviewing the general permit or the application may contact the Department of Environmental Protection, Regional Files, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

The Department has developed an “integrated” plan approval, State Operating Permit and Title V Operating Permit program. This integrated approach is designed to make the permitting process more efficient for the Department, the regulated community and the general public. This approach allows the owner or operator of a facility to submit permitting documents relevant to its application for all sources related to a facility or a proposed project, affords an opportunity for public input, and provides for a decision on the issuance of the necessary permits.

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

Copies of the application, the Department’s analysis, all pertinent documents used in the evaluation of the application and subsequently prepared proposed plan approvals/operating permits are available for public review during normal business hours at the appropriate Department Regional Office. Appointments for scheduling a review must be made by calling the appropriate Department Regional Office. The address and phone number of the Regional Office is listed before the application notices.

Persons wishing to file a written protest or provide comments or additional information, which they believe should be considered prior to the issuance of a permit, may submit the information to the Department’s Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments, protests and information. Each submission must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval/Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the permit.

A person wishing to request a hearing may do so during the 30-day comment period. A public hearing may be held, if the Department, in its discretion, decides that a hearing is warranted based on the information received. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper, the *Pennsylvania Bulletin* or by telephone, when the Department determines this type of notification is sufficient. Requests for a public hearing and any relevant information should be directed to the appropriate Department Regional Office.

Permits issued to the owners or operators of sources subject to 25 Pa. Code Chapter 127, Subchapter D or E, or located within a Title V facility or subject to 25 Pa. Code § 129.51(a) or permits issued for sources with limitations on their potential to emit used to avoid otherwise applicable Federal requirements may be submitted to the United States Environmental Protection Agency for review and approval as a revision to the State Implementation Plan. Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the sources are constructed and operating in compliance with applicable requirements in the Air Pollution Control Act (35 P.S. §§ 4001—4015), 25 Pa. Code Chapters 121—145, the Federal Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.

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

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

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

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

23-0014J: Kimberly-Clark of PA, LLC (Front & Avenue of the States, Chester City, PA 19013) for installation of three (3) new diesel-fired emergency generator sets, each rated at 670.5 bhp for a total electrical production capacity of 1.5 megawatts at their facility in Chester City, **Delaware County**. The plan approval is for a Title V facility. Each engine will be limited to a maximum of 500 hours in any 12 consecutive month period. Emissions (in g/kW-hr) shall not exceed the following: 6.4 (NO_x + NMHC), 3.5 (CO), and 0.2 (PM). The plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

Contact: David Balog, New Source Review Chief—Telephone: 814-332-6328.

32-040C: Seward Generation LLC (595 Plant Road, New Florence, PA 15944), for the proposed implementation of a Fuel Flexibility Program which will allow the facility to combust natural gas in the four limestone drying kilns (Source 036) which currently are permitted to combust only No. 2 Fuel Oil in East Wheatfield Township, **Indiana County**. This is a Title V facility. The public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450 or § 127.505, be incorporated into the facility operating permit at a later date.

Plan approval No 32-040C is for the proposed implementation of a Fuel Flexibility Program which will allow the facility to combust natural gas in the four limestone drying kilns (Source 036) which currently are permitted

to combust only No. 2 Fuel Oil. This Plan Approval will contain emission restriction, testing, recordkeeping, work practice standard and additional requirement conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate Best Available Technology (BAT) for the source including, but are not limited to, the following:

- Source 036 [Limestone Dryers (4)]:
 - Subject to 25 Pa. Code § 123.21.
 - Particulate matter emissions from the fuel or limestone handling and processing any stack emissions in a manner that the concentration of particulate matter in the effluent gas exceeds 0.02 gr/dscf.
 - For PSD purposes, projected actual emissions are as follows:
 - NO_x—39.42 tpy
 - CO—78.84 tpy
 - For NSR purposes, projected actual emissions are as follows:
 - NO_x—39.42 tpy
 - VOC (as methane)—5.26 tpy
 - The emissions from each dryer when burning natural gas shall not exceed the following:
 - NO_x: 142.8 #/mmcf
 - CO: 306 #/mmcf
 - VOC (as methane): 20.4 #/mmcf
 - SO_x: 0.6 #/mmcf
 - PM: 5.719 #/mmcf
 - PM₁₀: 5.719 #/mmcf
 - PM_{2.5}: 5.719 #/mmcf
 - [Note: mmcf is defined as million cubic feet of natural gas at standard conditions]
 - The emissions from each dryer when burning fuel oil shall not exceed the following:
 - NO_x: 0.16 #/MMBtu
 - CO: 0.3 #/MMBtu
 - VOC (as methane): 0.02 #/MMBtu
 - SO_x: 0.0517 #/MMBtu
 - PM: 0.0096 #/MMBtu
 - PM₁₀: 0.0096 #/MMBtu
 - PM_{2.5}: 0.0096 #/MMBtu
 - The emissions from all 4 dryers combined shall not exceed the following:
 - NO_x: 39.42 tpy based on a 12-month rolling total
 - VOC (as methane): 5.26 tpy based on a 12-month rolling total
 - The permittee may use either natural gas or fuel oil as a fuel for this source.
 - Conduct an initial stack test for NO_x, CO, & VOC (as methane) within the common vent while all 4 limestone Dryers are operating at their rated capacity of 15 mcf/hr.
 - Conduct subsequent testing once per operating permit term or every 5 years for NO_x, CO, & VOC (as methane).

- The permittee shall maintain a record of all preventive maintenance inspections of the control device.
- The permittee shall maintain records from the operational inspections for the baghouse of Pressure differential—daily defined as once per calendar day.
- The permittee shall maintain monthly and annual records of the natural gas usage using the fuel supplier billing meter. The fuel supplier billing meter will document fuel burn information when conducting stack emission testing for purposes of demonstrating compliance with the listed emission standards.
- The permittee shall perform a daily operational inspection of the source and control device(s).
- The permittee shall operate the control device at all times that the source is in operation.
- The permittee shall maintain and operate the source and control device(s) in accordance with the manufacturer's specifications and in accordance with good air pollution control practices.
- The permittee shall adhere to the approved indicator range for the baghouse so that operation within the range shall provide reasonable assurance of compliance. A departure from the specified indicator range over a specified averaging period shall be defined as an excursion. The approved indicator range for the following shall be determined during the initial performance test or any subsequently approved performance tests unless otherwise stated:
 - Pressure differential: 1.0 to 7.0 inches water gage or as established during compliant testing
 - The Limestone Dryers (Source ID 036) are not subject to the applicable requirements of 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants. [This condition replaces the following condition from Operating Permit 32-00040: The Limestone Dryers (Source ID 036) are subject to the applicable requirements of 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.]
 - All conditions from the latest facility operating permit, currently with a revision date of April 8, 2016, remain in effect unless otherwise modified in this plan approval.

In accordance with 25 Pa. Code § 127.44(f)(1), all the pertinent documents regarding this application (applications, review memos, and draft approvals) are also available for review from 8:00 a.m. to 4:00 p.m. at the Meadville Regional DEP Office (Air Quality). Appointments for scheduling a review must be made by calling the DEP at (814) 332-6340.

In accordance with 25 Pa. Code § 127.44(f)(2), a 30-day comment period, from the date of publication, will exist for the submission of comments. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to Regional Air Quality Program Manager, Pennsylvania Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494 and must contain the name, address and telephone number of the person submitting the comments, identification of the proposed plan approval [32-040C] 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 Regional Air Quality Program Manager, Pennsylvania Department of Environmental Protection, 230 Chestnut St., Meadville, PA 16335; Phone (814) 332-6940.

In accordance with 25 Pa. Code § 127.45, a person may oppose the proposed plan approval by filing a written protest with the Department's Northwest Region Air Quality Program Manager.

If a plan approval has not undergone the previously listed public notice process, the change to an operating permit must be treated as a significant modification. In these situations, the Department should follow the procedures described in §§ 127.421 to 127.431 for State only operating permits or §§ 127.521—127.524 for Title V operating permits.

OPERATING PERMITS

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

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

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

06-05036: Novipax LLC (4275 Reading Crest Avenue, Reading, PA 19605) for their expandable polystyrene foam products manufacturing facility in Muhlenberg Township, **Berks County**. Actual emissions from the facility in 2018 were reported to be 0.9 ton PM₁₀ and 491.3 tons VOC. The Title V Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from §§ 129.13, 129.63, 129.63a, 129.96—129.100, 40 CFR 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, and 40 CFR 60, Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines.

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

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

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

09-00213: DeNucci Excavating, Corp. (2807 Old Rodgers Road, Bristol, PA 19007-1723), for the renewal of a State Only, Natural Minor Operating Permit in Bristol Township, **Bucks County**. DeNucci operates a portable nonmetallic crushing plant, consisting of a portable crusher and portable screener at this site. Each piece of equipment is powered by a diesel engine. The primary pollutant emitted is particulate matter (PM), due to the

processing of aggregate materials. The PM is controlled by water sprays located at the feed hopper and discharge point. The site is not a mining site or a quarry, aggregate materials are brought on site and processed. There are no emission increases with the renewal of the operating permit. The facility maintains a natural minor operating status by limiting the particulate matter to less than 2.65 tons per year. The permit includes monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable local, State, and Federal air quality requirements.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790.

Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2507.

40-00005: UGI Development Co. (390 Route 11, Hunlock Creek, PA 18621-0224). The Department intends to issue a State-Only Operating Permit for operation of sources at an electric services operation in Hunlock Township, **Luzerne County**. The sources include one boiler, two combined-cycle turbines, two duct burners, and an ammonia storage tank. The turbines and duct burners are controlled by selective catalytic reduction and carbon monoxide catalysts. The proposed permit contains all 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.

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

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

36-03085: Goodhart Sons, Inc. (2515 Horseshoe Road, Lancaster, PA 17601) to issue a State Only Operating Permit for the metal products manufacturing facility located in Upper Leacock Township, **Lancaster County**. The potential emissions from the facility are estimated at 1.0 tpy of PM₁₀, 10.0 tpy of VOCs and 5.8 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 40 CFR Part 63 Subpart XXXXXX—National Emission Standards for Hazardous Air Pollutants Area Source Standards for Nine Metal Fabrication and Finishing Source Categories and 25 Pa. Code § 129.52d Control of VOC emissions from miscellaneous metal parts surface coating processes, miscellaneous plastic parts surface coating processes and pleasure craft surface coatings.

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

Contact: Thomas Joseph, P.E., Facilities Permitting Chief—Telephone: 412-442-4336.

65-00909: Harsco Metals Plant # 56 (300 Seven Fields Boulevard, Seven Fields, PA 16046). State-Only Operating Permit is for a facility that processes steel slag from the nearby Allegheny Ludlum Latrobe Melt Shop and is located in Derry Township, **Westmoreland County**. In accordance with 25 Pa. Code §§ 127.424 and 127.425, the Department of Environmental Protection (DEP) has received an application and is providing notice that it intends to issue an Air Quality Operating Permit

for the previously-mentioned facility. The site consists of four air emission sources related to the transfer of slag pots from the aforementioned melt shop. The facility is equipped with water sprays and a pressurized water truck for emissions control. Facility-wide potential emissions are projected to be 8.74 TPY PM, 2.59 TPY PM₁₀, and 0.54 TPY PM_{2.5}. The facility is required to conduct surveys of the site when operating to ensure compliance with fugitive and malodor emission requirements and maintain records of those surveys. The air quality permit includes operating requirements, monitoring requirements, and recordkeeping requirements for the site.

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. Written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit (65-00909) and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

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 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.

All comments must be received prior to the close of business 30 days after the date of this publication.

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>.

04-00439: WATCO Transloading, LLC—Industry Terminal Lot # 1 (2701 Midland Beaver Road, Industry, PA 15052-1709). Synthetic Minor State-Only Operating Permit is for a transloading facility that handles and warehouses ferroalloy metals, pig iron, gypsum, steel, non-ferrous metals, and general commodities for distribution. The facility also crushes and screens ferroalloy materials and is located in Industry Borough, **Beaver County**. In accordance with 25 Pa. Code §§ 127.424 and 127.425, the Department of Environmental Protection (DEP) has received an application and is providing notice that it intends to issue an Air Quality Operating Permit for the previously-mentioned facility. Sources of air emissions consist of material handling operations, crushing and screening operations, and truck loadout. The facility-wide potential-to-emit with controls is projected to be 40.0 TPY PM, 20.0 TPY PM₁₀, 7.0 TPY PM_{2.5}, 3.25 TPY total HAP, and 3.21 TPY single HAP. The facility is required to conduct surveys of the site when operating to ensure compliance with fugitive and malodor emission requirements and maintain records of those surveys. The air quality permit includes operating requirements, monitoring requirements, and recordkeeping requirements for the site.

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. Written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit (04-00439) and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

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 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.

All comments must be received prior to the close of business 30 days after the date of this publication.

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>.

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

Contact: David Balog, New Source Review Chief—Telephone: 814-332-6328.

03-00050: Creekside Mushrooms LTD (1 Moonlight Drive, Worthington, PA 16262-9730), the Department intends to issue a State Only Operating Permit (SOOP) for the natural minor facility located in West Franklin Township, **Armstrong County**. The primary sources at the facility include two (2) natural gas boilers and one (1) diesel fired emergency generator. The potential emissions from the facility are less than the Title V thresholds. The permit renewal contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

03-00151: Rosebud Mining Company, Dutch Run Coal Preparation Plant (2897 Dutch Run Rd, Shelocta, PA 15774). The Department is providing notice that they intend to renew a State Only Natural Minor Operating Permit for the coal preparation plant located in Plumcreek Township, **Armstrong County**. The facility's primary emission sources include transfer operations, a rotary breaker, a triple roll crusher, stockpiles, road dust, froth flotation cleaning operation, and a diesel-fueled 470 hp emergency generator engine. The potential emissions of the primary pollutants from the facility are as follows: 3.64 TPY (tons per year) NO_x, 0.78 TPY CO, 0.54 TPY VOC, 28.05 TPY filterable PM₁₀, 0.26 TPY filterable PM_{2.5}, and 0.24 TPY SO_x; thus, the facility is a natural minor. The facility is subject to 40 CFR 60 Subpart Y, Standards of Performance for Coal Preparation and Processing Plants. The diesel engine is subject to 40 CFR 63 Subpart ZZZZ, NESHAP for Stationary Reciprocating Internal Combustion Engines. The renewal permit will contain emission restrictions, recordkeeping, work prac-

tices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

32-00365: Rosebud Mining Company, Parker Mine Coal Preparation Plant (4460 McCreight Road, Shelocta, PA 15774-2037). The Department is providing notice that they intend to renew a State Only Natural Minor Operating Permit for the coal preparation plant located in Washington Township, **Indiana County**. The facility's primary emission sources include screening operations, transfer operations, stockpiles, road dust, and a diesel-fueled 207 hp emergency generator engine. The potential emissions of the primary pollutants from the facility are as follows: 0.78 TPY (tons per year) NO_x, 0.26 TPY CO, 0.13 TPY VOC, 6.54 TPY filterable PM₁₀, 0.06 TPY filterable PM_{2.5}, and 0.11 TPY SO_x; thus, the facility is a natural minor. The facility is subject to 40 CFR 60 Subpart Y, Standards of Performance for Coal Preparation and Processing Plants. The diesel engine is subject to 40 CFR 63 Subpart ZZZZ, NESHAP for Stationary Reciprocating Internal Combustion 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.

Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104.

Contact: Edward Wiener, Chief—Telephone: 215-685-9426.

OP19-000016: La Colombe Tioga (2620 E. Tioga Street, Philadelphia, PA 19134) for the operation of a coffee roasting facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include the following:

- Two (2) 120 kilo Brambatti roasters, each is equipped with a natural gas burner and afterburner each rated less than 5 MMBtu/hr.
- One (1) 50 kilo Dietrich roaster with a 0.283 MMBtu/hr burner a firing natural gas and equipped with a cyclone.

The operating permit will be issued under the 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

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

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); The Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Con-

rol Act (52 P.S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.20a). Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department. A copy of the application is available for inspection at the district mining office indicated before each application. Notices of requests for 401 Water Quality Certifications are included in individual application notices, as noted.

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application and request for Section 401 water quality certification application may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the address of the district mining office indicated before each application within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

Written comments or objections regarding a mining permit application should contain the name, address and telephone number of persons submitting comments or objections, application number and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based.

A request for an informal conference or a public hearing, as applicable, on a mining permit application, as provided by 25 Pa. Code § 77.123 or § 86.34, must contain the name, address and telephone number of the requestor; the application number; a brief summary of the issues to be raised by the requestor at the conference; and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

When an NPDES number is listed, the mining activity permit application was accompanied by an application for an individual NPDES permit. A separate notice will be provided after the draft NPDES permit is prepared.

Coal Applications Received

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

32831602 and NPDES No. PA0214515. General Trade Corporation, (745 Power Plant Road, New Florence, PA 15944). To operate The Central Preparation Plant in West Wheatfield Township, **Indiana County** for reissuance of the expired Bituminous Coal Preparation Plant Permit known as The Central Preparation Plant and expired National Pollution Discharge Elimination System (NPDES) No. PA0214515. Surface Acres Proposed 28.3. Receiving Streams: Unnamed Tributary to Conemaugh River, classified for the following use: CWF. The application was considered administratively complete on August 16, 2019. Application received: June 21, 2019.

New Stanton District Office: P.O. Box 133, 131 Broadview Road, New Stanton, PA 15672, 724-925-5500.

30090101 and NPDES Permit No. PA0251607. Shanopin Materials, LLC (966 Crafts Run Road, Maidsville, WV 26541). Renewal application for continued mining to an existing bituminous surface mine, located in Monongahela Township, **Greene County**, affecting 120 acres. Receiving streams: unnamed tributaries to Dunkard Creek and unnamed tributaries to the Monongahela River, classified for the following use: WWF. Dunkard Valley Water Authority and Masontown Water Works are the potable water supply intakes within 10 miles downstream from the point of discharge. Renewal application received: August 22, 2019.

03080106 and NPDES Permit No. PA0251542. Amerikohl Mining, Inc. (1384 State Route 711, Stahtstown, PA 15687). Renewal application for continued treatment to an existing bituminous surface mine, located in Redbank Township, **Armstrong County**, affecting 261.0 acres. Receiving streams: unnamed tributaries to Mahoning Creek and unnamed tributary to Pine Run, classified for the following use: CWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: August 23, 2019.

Noncoal Applications Received

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

Table 2

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

* The parameter is applicable at all times.

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

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

25130303. Wilkinson Aggregates, Inc. (P.O. Box 703, Meadville, PA 16335). Transfer of an existing large industrial minerals surface mine from Raymond D. Showman & Sons, Inc. in LeBoeuf Township, **Erie County** affecting 156.1 acres. Receiving streams: Unnamed tributary to French Creek and French Creek, classified for the following uses: WWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: July 29, 2019.

New Stanton District Office: P.O. Box 133, 131 Broadview Road, New Stanton, PA 15672, 724-925-5500.

63100401 and NPDES Permit No. PA0252034. Neiswonger Construction, Inc. (17592 Route 322, Strattanville, PA 16258). Revision application to add 6.6 acres an existing bituminous surface mine, located in Deemston Borough, **Washington County**, affecting 67.6 acres. Receiving streams: unnamed tributaries to Ten Mile Creek and Ten Mile Creek, classified for the following use: TSF. Tri-County Joint Municipal Authority is the potable water supply intakes within 10 miles downstream from the point of discharge. Application received: August 20, 2019.

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

Permit No. 64920801. Wood Excavation & Construction, Inc., (24 Woodhill Drive, Damascus, PA 18415), Stage I & II bond release of a quarry operation in Damascus Township, **Wayne County** affecting 3.0 acres on property owned by Paul Paddock. Application received: August 16, 2019.

Permit No. 49072801. Black Diamond Mining, Inc., (P.O. Box 81, Mt. Carmel, PA 17851), Stage I & II bond release of a quarry operation in Mount Carmel Township, **Northumberland County** affecting 5.0 acres on property owned by Susquehanna Coal Company. Application received: August 12, 2019.

MINING ACTIVITY NPDES DRAFT PERMITS

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

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

Effluent Limits for Coal Mining Activities

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

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

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

*The parameter is applicable at all times.

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

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

Effluent Limits for Noncoal Mining Activities

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

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

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

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

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

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

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

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

Coal NPDES Draft Permits

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

NPDES No. PA0235512 (Mining Permit No. 11141302), ArcelorMittal Pristine Resources, LLC, (P.O. Box 36, 129 Bethlehem Road, Revloc, PA 15948). A renewal to the NPDES and mining activity permit for the Mine 77 AMD Plant in East Taylor Township, **Cambria County** NPDES permit renewal. Surface Acres Affected 22.84. Receiving stream: Unnamed Tributary to Little Conemaugh River, classified for the following use: WWF. Kiski-Conemaugh River Watershed TMDL. The application was considered administratively complete on July 8, 2019. Application received: May 31, 2019.

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

Outfall 001 discharges to: Unnamed Tributary to Little Conemaugh River

The proposed effluent limits for *Outfall 001* (Lat: 40° 22' 48" Long: 78° 50' 58") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Suspended Solids	(mg/l)	-	35	70	90
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	0.75
Sulfate	(mg/l)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report
pH	(s.u.)	6	-	-	9
Alkalinity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0	-	-	-
Osmotic Pressure	(mOs/kg)	-	-	-	Report
Selenium	(mg/L)	-	-	-	Report

EPA waiver is not in effect.

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

NPDES No. PA0269336 (Mining Permit No. 56130102), Elk Resources, Inc., 3030 Pounds Road, West Lebanon, PA 15783, renewal of an NPDES permit for bituminous surface mine in Shade Township, **Somerset County**, affecting 203 acres. Receiving streams: unnamed tributaries to/and Miller Run, and unnamed tributary to Little Dark Shade Creek, classified for the following use: cold water fishes. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: August 13, 2019.

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

The following stormwater outfalls discharge to unnamed tributaries to/and Miller Run, and unnamed tributary to Little Dark Shade Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
008	N
009	N
013	N
014	N

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

<i>Outfalls: 008, 009, 013 and 014</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
Iron (mg/l)	1.5	3.0	3.7
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	35.0	70.0	90.0

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.
Alkalinity must exceed acidity at all times.

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

NPDES No. PA0259489 (Permit No. 33140104). MSM Coal Company, Inc. (P.O. Box 243, DuBois, PA 15801) Renewal of an NPDES permit for a bituminous surface mine in Pine Creek Township, **Jefferson County**, affecting 197.5 acres. Receiving streams: Unnamed tributary to Sandy Lick Creek and Sandy Lick Creek, classified for the following uses: CWF. TMDL: Redbank Creek. Application received: August 13, 2019.

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

The following outfalls discharge to an unnamed tributary to Sandy Lick Creek and Sandy Lick Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
SP1	N
SP2	N
SP3	N
ST1	N

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Alkalinity greater than acidity ¹				
¹ The parameter is applicable at all times.				
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		0.75	0.75	0.75
Total Suspended Solids (mg/l)		35.0	70.0	90.0

Noncoal NPDES Draft Permits

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

NPDES Permit No. PA0225916 on Surface Mining Permit No. 48750401. Holcim (US), Inc., (5160 Main Street, Whitehall, PA 18052), new NPDES Permit for a limestone quarry operation in Allen Township and Northampton Borough, **Northampton County**, affecting 292.7 acres. Receiving stream: Hokendauqua Creek Watershed, classified for the following uses: cold water and migratory fishes. Application received: July 11, 2018.

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

The following outfalls discharge to Hokendauqua Creek:

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
001	Yes	Ground Water Sump
002	Yes	Non-Process Groundwater Sump

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instantaneous</i> <i>Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Net Alkalinity	0.0			
Alkalinity Total (asCaCO ₃) mg/l				Report
Acidity Total (asCaCO ₃) mg/l				Report
Total Suspended Solids		35.0	70.0	90.0
Flow (MGD)		3.17		

¹ The parameter is applicable at all times.

NPDES Permit No. PA0226033 on Surface Mining Permit No. 52970301. G.F. Edwards, Inc., (204 SR 435, Elmhurst, PA 18444), new NPDES Permit for a sandstone quarry operation in Greene Township, **Pike County**, affecting 173.06 acres. Receiving stream: Wallenpaupack Creek, classified for the following uses: HQ—cold water and migratory fishes. Application received: April 1, 2019.

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

The following outfall discharges to Wallenpaupack Creek:

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
001	Yes	Stormwater

The proposed effluent limits for the previously listed outfall are as follows:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Total Suspended Solids		35.0	70.0	90.0
Total Settleable Solids				0.5
Turbidity (NTU)				40.0

¹ The parameter is applicable at all times.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. Each individual will be notified, in writing, of the time and place of a scheduled hearing or conference concerning the certification request to which the comment, objection or suggestion relates. Maps, drawings and other data pertinent to the certification request are available for inspection between 8 a.m. and 4 p.m. on working days at the office noted before the application.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should

contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

Applications Received under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and Requests for Certification under section 401(a) of the FWPCA.

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E2203119-005: PennDOT Engineering District 8-0, 2140 Herr St., Harrisburg, PA 17103 in Lower Paxton and West Hanover Townships, **Dauphin County**, U.S. Army Corps of Engineers Baltimore District.

To remove existing structure and to (1) install and maintain a 28-foot × 56-foot bridge over Beaver Creek (WWF, MF). The project proposed to direct impact 188 linear feet of stream channel and 285 sq. ft of PEM Wetland. There are temporary impacts to 84 linear feet of stream channel and 352 sq. ft of PEM wetlands. This is all for the purpose of improving transportation safety and roadway standards. The project is located in Lower Paxton and West Hanover Townships, Dauphin County (40.3336°, -76.759°).

F3803219-002: Lebanon City (Floodplain Mitigation), 400 South 8th Street, Lebanon, PA 17038, in Lebanon City, **Lebanon County**, U.S. Army Corps of Engineers Baltimore District.

To remove structures from the floodplain that were damaged by flooding at the location. The project proposes to temporarily affect approximately 0.23 acre of floodplains. The issuance of this permit will not constitute approval of Water Quality Certification under Section 401 of the Federal Clean Water Act (33 U.S.C.A. § 1341).

	<i>Address</i>	<i>Waterway</i>	<i>Chapter 93 Designation</i>	<i>USGS Quadrangle</i>	<i>Latitude</i>	<i>Longitude</i>
1	121 Elm Street	UNT Quittapahilla Creek	TSF	Lebanon	40.3335°	-76.4080°

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

E5904219-009, Blossburg Municipal Authority, Hamilton Township, **Tioga County**, U.S. Army Corps of Engineers Baltimore District (Blossburg Quadrangle; Latitude 41° 39' 4.8"N; 77° 2' 44.3"W).

The applicant proposes to install two utility stream crossings in the Taylor Run (EV, MF) watershed. Crossing # 1 will have a 10" ductile water line and crossing # 2 will be a 6" ductile water line and a 6" PVC Electric line. The crossing will have a cumulative permanent watercourse impact of 320 square feet.

Southwest Region: Waterways and Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Dana Drake, Waterways and Wetlands Program Manager, 412-442-4000.

E65051-998, PennDOT District 12-0, 825 North Galatin Avenue Extension, Uniontown, PA, Ligonier Township, **Westmoreland County**; Pittsburgh ACOE District.

The applicant proposes to:

Operate and maintain a 98 LF, 60" HDPE pipe, with adjacent endwalls and rock aprons, that conveys an unnamed tributary (UNT) to Loyalhanna Creek (CWF), under S.R. 2043 (Darlington Road), as a replacement for a 50.8 LF, 36" Corrugated Metal Pipe. This work was previously completed under emergency permit No. EP6517203, for the purpose of replacing a structurally deficient culvert. The project permanently impacted 135LF of UNT to Loyalhanna Creek.

The project site is located along SR 2043 (Darlington Road), Derry, PA USGS topographic quadrangle; N: 40°, 16', 4.67"; W: -79°, 17', 46.72"; Sub-basin 18C; USACE Pittsburgh District, in Ligonier Township, Westmoreland County.

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

E0829-123: Repsol Oil & Gas USA, 337 Daniel Zenker Drive, Horseheads, NY 14845, Armenia Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. a 12-inch diameter natural gas line, an 8-inch waterline and a temporary timber mat bridge impacting 90 linear feet of an unnamed tributary to Tioga River (HQ-CWF, MF) (Roseville, PA Quadrangle, Latitude: 41.763202°, Longitude: -76.884540°);

2. a 12-inch diameter natural gas line, an 8-inch waterline and a temporary timber mat bridge impacting

77 linear feet of an unnamed tributary to Tioga River (HQ-CWF, MF) (Roseville, PA Quadrangle, Latitude: 41.763519°, Longitude: -76.884664°);

3. a 12-inch diameter natural gas line, an 8-inch waterline and a temporary timber mat bridge impacting 1,074 square feet of a Palustrine Emergent Wetland (EV) (Roseville, PA Quadrangle, Latitude: 41.7635189°, Longitude: -76.885445°);

4. a 12-inch diameter natural gas line, an 8-inch waterline and a temporary timber mat bridge impacting 41 square feet of a Palustrine Emergent Wetland (EV) (Roseville, PA Quadrangle, Latitude: 41.763489°, Longitude: -76.885612°);

5. a 12-inch diameter natural gas line, an 8-inch waterline and a temporary timber mat bridge impacting 84 square feet of a Palustrine Emergent Wetland (EV) (Roseville, PA Quadrangle, Latitude: 41.763656°, Longitude: -76.886177°);

6. a 12-inch diameter natural gas line, an 8-inch waterline and a temporary timber mat bridge impacting 70 linear feet of an unnamed tributary to Tioga River (HQ-CWF, MF) and impacting 1,234 square feet of an adjacent Palustrine Forested Wetland (EV) (Roseville, PA Quadrangle, Latitude: 41.764235°, Longitude: -76.886786°);

7. a 12-inch diameter natural gas line, an 8-inch waterline and a temporary timber mat bridge impacting 70 linear feet of an unnamed tributary to Tioga River (HQ-CWF, MF) and impacting 1950 square feet of an adjacent Palustrine Forested Wetland (EV) (Roseville, PA Quadrangle, Latitude: 41.764423°, Longitude: -76.887251°);

8. a 12-inch diameter natural gas line, an 8-inch waterline and a temporary timber mat bridge impacting 77 square feet of a Palustrine Forested Wetland (EV) (Roseville, PA Quadrangle, Latitude: 41.764655°, Longitude: -76.887305°);

9. a 12-inch diameter natural gas line, an 8-inch waterline and a temporary timber mat bridge impacting 90 linear feet of an unnamed tributary to Tioga River (HQ-CWF, MF) (Roseville, PA Quadrangle, Latitude: 41.765759°, Longitude: -76.887390°).

The project will result in 397 linear feet or 1,609 square feet of temporary stream impacts and 1,199 square feet (0.03 acre) of temporary PEM and 3,261 square feet (0.08 acre) of PFO wetland impacts all for the purpose of installing a natural gas pipeline and a waterline with associated access roadways for Marcellus shale development in Armenia Township, Bradford County.

ACTIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

The Department has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and NOIs for coverage under General Permits. This notice of final action is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

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

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

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

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

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

I. NPDES Renewal Permit Actions.

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0083887 (SEW)	Brad S Shover 201 Secret Park Road Beezewood, PA 15533	East Providence Township Bedford County	Brush Creek (WWF) in Watershed(s) 11-C	Y
PA0084077 (SEW)	Snake Spring Township Municipal Authority Bedford County 624 Pennknoll Road Everett, PA 15537-6945	Snake Spring Township Bedford County	Raystown Branch Juniata River (TSF, MF)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA025483 (Industrial)	Gray Area Water Authority WTP P.O. Box 118 Gray, PA 15544-1439	Somerset County Jenner Township	Spruce Run (HQ-CWF) (18-E)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0040878 (Sewage)	Keystone Adolescent Center 95 South Race Street Greenville, PA 16125	Mercer County West Salem Township	Big Run (WWF) (20-A)	Yes
PA0238686 (Sewage)	Brandywine Village STP P.O. Box 431 Connoquenessing, PA 16027	Butler County Connoquenessing Township	Little Connoquenessing Creek (CWF) (20-C)	Yes

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0222801 (Sewage)	Sarah Heinz House Camp 1 Heinz Street Pittsburgh, PA 15212	Lawrence County Wayne Township	Slippery Rock Creek (CWF) (20-C)	Yes
PA0091065 (Sewage)	Emily & Ryan Rekich SRSTP 114 Cobham Lane Cabot, PA 16023	Butler County Winfield Township	Unnamed Tributary of the Little Buffalo Creek (HQ-TSF) (18-F)	Yes
PA0272779 (Sewage)	Neshannock Creek Watershed Joint Municipal Authority WWTP 369 McClelland Road Mercer, PA 16137-6313	Mercer County East Lackawannock Township	Neshannock Creek (TSF) (20-A)	Yes
PA0101117 (Sewage)	Shady Acres MHP P.O. Box 358 Edinboro, PA 16412-0358	Crawford County Cussewago Township	Cussewago Creek (WWF) (16-D)	Yes

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

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

NPDES Permit No. PA0281760, Sewerage, **AJ Home Solutions**, 1000 North Prince Street, Lancaster, PA 17603.

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

Description of Proposed Action/Activity: Applicant is authorized to discharge from a facility known as Lower Windsor York County, located in Lower Windsor Township, York County, to Fishing Creek (TSF, MF) in Watershed(s) 7-I in accordance with effluent limitations, monitoring requirements and other conditions set forth in Parts A, B and C hereof.

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

NPDES Permit No. PA0218081, Industrial, SIC Code 3547, **Whemco Steel Castings Inc.**, 601 W 7th Avenue, Homestead, PA 15120-1064.

This existing facility is located in West Homestead Borough, **Allegheny County**.

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

NPDES Permit No. PA0272159, Sewerage, SIC Code 8800, **Karyn Hemphill**, 10738 Station Road, Erie, PA 16428.

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

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated sewage.

NPDES Permit No. PA0272183, Sewerage, SIC Code 8800, **Melissia L McClain**, 49671 Carmel Achor Road, Rogers, OH 44455-9750.

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

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated sewage.

NPDES Permit No. PA0271667, Storm Water, SIC Code 2499, 3399, 3544, **Penn United Tech Inc.**, 799 N Pike Road, Cabot, PA 16023-2223.

This proposed facility is located in Jefferson Township, **Butler County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated storm water.

NPDES Permit No. PA0272230, Sewerage, SIC Code 4952, 8800, **Jerry Cass**, 4376 Depot Road, Erie, PA 16510.

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

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated sewage.

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

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

WQM Permit No. 6719406, Sewerage, **AJ Home Solutions**, 1000 North Prince Street, Lancaster, PA 17603.

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

Description of Proposed Action/Activity:

This permit approves the construction of sewage facilities consisting of:

- Existing 1,000-gal dual compartment septic tank
- Effluent Filter
- Ecoflo EC7-500PG coco filter
- UV unit

WQM Permit No. 2119402, Sewerage, **Carlisle Borough**, 53 W South Street, Carlisle, PA 17013-3458.

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

Description of Proposed Action/Activity:

This permit approves the construction/operation of sewage facilities consisting of:

-Installation of a chemical feed system and 1,000-gallon chemical storage tank for hydrogen peroxide.

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

WQM Permit No. 6319401, Sewerage, SIC Code 4952, **Peters Township Sanitary Authority**, 111 Bell Drive, McMurray, PA 15317-3415.

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

Description of Proposed Action/Activity: The applicant proposes to install approximately 3,000 LF of 12-inch gravity sewer lines, which will change pipe size and alignment of the existing Stonehenge Interceptor Sewer in the Brush Run Sewer System.

WQM Permit No. 6370414 A-4, Sewerage, SIC Code 4952, **Municipal Authority of the City of Monongahela**, 521 West Main Street, Monongahela, PA 15063.

This existing facility is located in Monongahela City, **Washington County**.

Description of Proposed Action/Activity: The Authority proposes to construct one wedgewater sludge drying bed at their wastewater treatment plan. The sludge drying bed would be used for drying sludge from the Authority's two pump stations, EQ tank and interceptor sewers. The dry solids would be disposed of in a dumpster under contract with Waste Management for hauling and disposal.

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

WQM Permit No. 2519407, Sewerage, **Karyn Hemphill**, 10738 Station Road, Erie, PA 16428.

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

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

WQM Permit No. 2092404 A-2, Sewerage, **Perseus House Inc.**, 1511 Peach Street, Erie, PA 16501-2104.

This existing facility is located in Bloomfield Township, **Crawford County**.

Description of Proposed Action/Activity: Modification to allow installation and use of a dechlorination tablet feeder to be used at the existing wastewater treatment plant.

WQM Permit No. 1619401, Sewerage, **Melissia L McClain**, 49671 Carmel Achor Road, Rogers, OH 44455-9750.

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

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

WQM Permit No. WQG02101902, Sewerage, **Western Butler County Authority**, 607 Market Street, Zelienople, PA 16063-1830.

This proposed facility is located in Zelienople Borough, **Butler County**.

Description of Proposed Action/Activity: Gravity sewer extension to serve Arden Woods residential development.

WQM Permit No. 2519411, Sewerage, **Jerry Cass**, 4376 Depot Road, Erie, PA 16510.

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

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

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

The following waiver applications have been approved for a 5-year period. The Department is issuing waivers for the following MS4s instead of NPDES permit coverage.

Southcentral Regional Office: Clean Water Program Manager; 909 Elmerton Avenue, Harrisburg, PA 17110-8200. Phone: 717.705.4707.

<i>NPDES</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Receiving Water(s) / Use(s)</i>
Waiver No. PAG133620	North Codorus Township York County 1986 Stoverstown Road Spring Grove, PA 17362-7804	North Codorus Township York	Codorus Creek (WWF, MF), Unnamed Tributary to Codorus Creek (WWF, MF), and Unnamed Tributary of South Branch Codorus Creek/ WWF and MF

<i>NPDES Waiver No.</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Receiving Water(s)/Use(s)</i>
PAG133694	Strasburg Township Lancaster County 400 Bunker Hill Road Strasburg, PA 17579-9501	Strasburg Township Lancaster	Little Beaver Creek (TSF, MF), Pequea Creek (WWF, MF), and Calamus Run (TSF, MF)/ WWF, TSF, and MF

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

*Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.
Monroe County Conservation District, 8050 Running Valley Road, Stroudsburg, PA 18347.*

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD450085	Equity Lifestyle Properties, Inc. 2 N. Riverside Plaza Suite 800 Chicago, IL 60606	Monroe	Pocono Township	Scot Run (HQ-CWF, MF) UNT to Scot Run (HQ-CWF, MF)

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Nathan Phillips, Section Chief, Telephone 717.705.4802.

<i>Permit #</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD500003 Issued	PPL Electric Utilities Corp 2 North Ninth Street GENN 4 Allentown, PA 18101	Perry	Carroll Township	Shermans Creek (HQ-CWF, MF) Spring Run (WWF, MF) Conodoguinnet Creek (WWF, MF) Shermans Creek (WWF, MF)
PAD670031 Issued	Providence Community, Inc. 6146 York Road Spring Grove, PA 17362	York	Heidelberg Township	Codorus Creek (HQ-CWF, MF)
PAD220001 Issued	PennDOT District 8-0 2140 Herr Street Harrisburg, PA 17103	Dauphin	Lower Paxton Township	Asylum Run (WWF) UNT Asylum Run (WWF) UNT Paxton Creek (WWF, MF) UNT Slotznick Run (CWF, MF) Slotznick Run (CWF, MF) UNT Spring Creek (CWF, MF) EV Wetlands

Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Dana Drake, Waterways and Wetlands Program Manager, 412-442-4000.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD630037	KHET PA, LLC 8777 Rockside Road Cleveland, OH 44125	Washington County	Somerset Township	Opossum Run (HQ-WWF)

*Northwest Region: Waterways & Wetlands Program, 230 Chestnut Street, Meadville, PA 16335-3481.
Lawrence County Conservation District, 430 Court Street, New Castle, PA 16101, 724-652-4512.*

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD370005 Major Modification	East Fairfield Coal Company 10900 South Avenue P.O. Box 217 North Lima, OH 44452	Lawrence	North Beaver Township	UNT to Honey Creek HQ-CWF

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

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

List of NPDES and/or Other General Permit Types.

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

General Permit Type—PAG-02

Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Lehigh County Conservation District, 4184 Dorney Park Road, Suite 105, Allentown, PA 18401.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAC390078	Provco Pinegood Coopersburg LLC 795 E Lancaster Ave Bldg 2 Ste 200 Villanova, PA 19085-1525	Lehigh	Upper Saucon Twp	Laurel Run (CWF, MF) Tumble Brook (CWF, MF)

Luzerne Conservation District, 325 Smiths Pond Road, Shavertown, PA 18708.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAC400140	Mericle River Rd LLC 100 Baltimore Dr Wilkes-Barre, PA 18702	Luzerne	Jenkins Twp	UNT to Susquehanna River (CWF, MF)
PAC400119	Justice Grown LLC c/o Mitchell Zaveduk 311 N Aberdeen St Ste 300 Chicago, IL 60607	Luzerne	Hazle Twp	Tomhicken Creek (CWF)
PAC400106	Northeastern Pennsylvania Health Corp d/b/a Lehigh Valley Hospital Hazleton c/o John Fletcher 700 E Broad St Hazleton, PA 18201	Luzerne	Butler Twp Hazle Twp	UNT to Black Creek (CWF, MF)

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Northampton County Conservation District, 14 Gracedale Ave., Greystone Building, Nazareth, PA 18064-9211.

NPDES

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAC480080 A-1	Jim Mazzaelli Century Commerce Center LLC 650 E Swedesford Rd Ste 400 Wayne, PA 19087	Northampton	Allen Twp	Hokendauqua Creek (CWF, MF) Dry Run (CWF, MF)

Schuylkill Conservation District, 1206 AG Center Drive, Pottsville, PA 17901-9733.

NPDES

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAC540033	Grande Land LP 2213 Quarry Dr West Lawn, PA 19609	Schuylkill	Norwegian Twp	Mill Creek (CWF) UNT to Schuylkill River (CWF)

Susquehanna County Conservation District, 88 Chenango Street, Montrose, PA 18801.

NPDES

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAC580016	Kenneth Cuomo SCCTC CDL Training Facility Elk Lake School District 2380 Elk Lake School Rd Springville, PA 18844	Susquehanna	Dimock Twp	UNT to Whites Creek (CWF, MF)

Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, Nathan Phillips, Section Chief, 717.705.4802.

**Facility Location:
Municipality &
County**

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
PAC210146	UGI Utilities, Inc. 1 UGI Drive Denver, PA 17517	Yellow Breeches Creek (CWF, MF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
PAC210092	Dorado, LP 18 Sagecrest Circle Enola, PA 17025	Trindle Spring Run (CWF, MF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
PAC210142	Waggoner, Frutiger & Daub Foxcroft Townhouse Association 5006 East Trindle Road Suite 200 Mechanicsburg, PA 17050	Conodoguinet Creek (WWF, MF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
PAC210123	114 Associates 100 Sterling Parkway Suite G19 Mechanicsburg, PA 17050	Hogestown Run (CWF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
North Middleton Township Cumberland County Issued	PAC210165	Paul M. MacNamara 960 Enola Road Carlisle, PA 17013	Wertz Run (WWF, MF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
Silver Spring Township Cumberland County Issued	PAC210152	Dorado, LP 1040 Spoon Avenue Landisville, PA 17358	Trindle Spring Run (CWF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
Lower Paxton Township Dauphin County Issued	PAC220174	Eastern Development & Planning, Inc. 5300 Derry Street Harrisburg, PA 17111	Nyes Run (WWF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Lower Swatara Township Dauphin County Issued	PAC220167	Wilsbach Distributors, Inc. 905 Katie Court Harrisburg, PA 17109	Laurel Run (WWF, MF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Susquehanna Township Dauphin County Issued	PAC220175	Solid Rock Missionary Baptist Church 8000 Derry Street Harrisburg, PA 17111	Paxton Creek (WWF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Middle Paxton Township Dauphin County Issued	PAC220183	Justin & Alyssa Wingenfield 805 Mount Gretna Road Elizabethtown, PA 17022	Fishing Creek (WWF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Antrim Township Franklin County Issued	PAC280114	Matrix Antrim Land LP Forsgate Drive CN 4000 Cranbury, NJ 08512	UNT Conococheague Creek (WWF, MF) Paddy Run (WWF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Saint Thomas Township Franklin County Issued	PAC280094	Bear Valley Joint Water Authority 218 School House Road Saint Thomas, PA 17252	UNT Campbell Run (CWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Antrim Township Franklin County Issued	PAC280143	Accent Developers 10764 Buchanan Trail East Waynesboro, PA 17268	UNT Conococheague Creek (WWF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499

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<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Borough of Chambersburg Franklin County Issued	PAC280162	Palisades Development Company, LLC MacArthur Plaza 6500 Seven Locks Road Cabin John, MD 20818	Fallings Springs Branch (TSF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Southampton Township Franklin County Issued	PAC280153	Leid Poultry Operation 13690 Mongul Hill Road Shippensburg PA 17257	UNT Middle Spring Creek (CWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Peters Township Franklin County Issued	PAC290152	RER Energy Group 4700 Pottsville Pike Reading, PA 19606	West Branch Conococheague Creek (TSF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Guilford Township Franklin County Issued	PAC280160	David H. Martin Excavating, Inc. 4961 Cumberland Hwy Chambersburg PA 17202	UNT Conococheague Creek (WWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Greene Township Franklin County Issued	PAC280128	GTMA 4182 Sunset Pike Chambersburg, PA 17202	Conococheague Creek (CWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Southampton Township Franklin County Issued	PAC280157	US Express, Inc. 4080 Jenkins Road Chattanooga, TN 37421	Gum Run (CWF) Middle Spring Creek (CWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Antrim Township Franklin County Issued	PAC280123	P&G Farm Properties, LLC 140 Buffum Road Monroe, NH 37713	UNT Conococheague Creek (WWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Greene Township Franklin County Issued	PAC280119	Mark A. Reiff 361 Running Pump Road Shippensburg, PA 17257	UNT Rowe Run (CWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Greene Township Franklin County Issued	PAC280156	HC Gabler 5195 Technology Avenue Chambersburg, PA 17201	UNT Conococheague Creek (CWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Letterkenny Township Lurgan Township Franklin County Issued	PAC280142	First Energy 2800 Pottsville Pike P.O. Box 166001 Reading, PA 19612	UNT Conodoguinet Creek (WWF, CWF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Borough of Chambersburg Franklin County Issued	PAC280118	County of Franklin 14 North Main Street Chambersburg, PA 17201	Conococheague Creek (WWF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Shrewsbury Township York County Issued	PAC670289	Alan J & Christine Rodick 12116 Son-Light Lane Glen Rock, PA 17327	South Branch Codorus Creek (WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Springettsbury Township York County Issued	PAC670291	Springettsbury Investors, LLC 14 Balligomingo Road Conshohocken, PA 19428-0992	Mill Creek (WWF, MF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Windsor Township York County Issued	PAC670251	Michael Mikhail 530 Somerset Road Lancaster, PA 17601	UNT Kreutz Creek (WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Loganville Borough York County Issued	PAC670319	Kinsley Equities III, LP 6259 Reynolds Mill Road York, PA 17405	UNT East Branch Codorus Creek (CWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430

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

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
North Centre Twp, Columbia Cnty	PAC190003 A-1	Steven Wright 830 Catch Basin Rd Settersville, PA 18690	West Branch Briar Creek	Columbia County Conservation District 702 Sawmill Rd Ste 204 Bloomsburg, PA 17815 (570) 784-1310 X 102
Mifflin Twp, Columbia Cnty	PAC190023	Marr Development 823 Central Rd Bloomsburg, PA 17815	Susquehanna River	Columbia County Conservation District 702 Sawmill Rd Ste 204 Bloomsburg, PA 17815 (570) 784-1310 X 102

NOTICES

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<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Piatt Twp, Lycoming Cnty	PAC410045	Daniel Paulhamus 4325 Jobs Run Rd Jersey Shore, PA 17740	UNT to W. Br. Susquehanna River WWF	Lycoming County Conservation District 542 County Farm Rd Ste 202 Montoursville, PA 17754 (570) 433-3003
Point Twp, Northumberland Cnty	PAC490040	Stone School Manor Development Ridge Road Point Township	Lithia Springs Creek CWF, MF	Northumberland County Conservation District 441 Plum Creek Rd Sunbury, PA 17801 (570) 286-7114 ext. 4

General Permit Type—PAG-05

<i>Facility Location Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
McCandless Township Allegheny County	PAG056270	7 Eleven Inc. P.O. Box 711 Dallas, TX 75221	Pine Creek (TSF)—18-A	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000

General Permit Type—PAG-9

<i>Facility Location & County/Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Franklin County/ St. Thomas Township	PAG093558	Lush Acres, LLC 3547 Warm Springs Road Chambersburg, PA 17207	Same as Applicant	DEP—SCRO— Clean Water 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

General Permit Type—PAG-12

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Tyrone Township, Perry County	PAG123506	Hoover Lane Farm LLC 105 Hoover Lane Loysville, PA 17047-9208	Watershed(s) 7-A	DEP Southcentral Regional Office Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717.705.4707
West Pennsboro Township, Cumberland County	PAG123890	Mount Rock Dairy LLC 473 Mount Rock Road Newville, PA 17241	Watershed(s) 7-B	DEP Southcentral Regional Office Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717.705.4707
Wayne Township, Dauphin County	PAG123667	Jay M Lehman 2538 Meadow View Road Manheim, PA 17545	Watershed(s) 6-C	DEP Southcentral Regional Office Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717.705.4707

PUBLIC WATER SUPPLY PERMITS

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

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

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

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

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17).

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

Permit No. 2450054, Operations Permit, Public Water Supply.

Applicant	Aqua Pennsylvania, Inc. 1 Aqua Way White Haven, PA 18661
[Borough or Township]	Chestnuthill Township
County	Monroe
Type of Facility	PWS
Consulting Engineer	Mr. Byron A. Killian, PE Entech Engineering, Inc. 201 Penn St. P.O. Box 32 Reading, PA 19603
Permit to Operate Issued	7/30/2019

Permit No. 2450054, Operations Permit, Public Water Supply.

Applicant	Aqua Pennsylvania, Inc. 1 Aqua Way White Haven, PA 18661
[Borough or Township]	Chestnuthill Township
County	Monroe

Type of Facility	PWS
Consulting Engineer	Mr. Byron A. Killian, PE Entech Engineering, Inc. 201 Penn St. P.O. Box 32 Reading, PA 19603

Permit to Operate Issued	7/16/2019
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Northcentral Region: Safe Drinking Water Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.

Permit No. 1719504—Construction—Public Water Supply.

Applicant	Aqua Pennsylvania, Inc.
Township/Borough	Sandy Township
County	Clearfield County
Responsible Official	Mr. Patrick Burke Aqua Pennsylvania, Inc. 204 East Sunbury Street Shamokin, PA 17872-0909

Type of Facility	Public Water Supply—Construction
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Consulting Engineer	Mr. Andrew Blitzer, P.E. GHD 1240 N. Mountain Road Harrisburg, PA 17122
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Permit Issued	August 19, 2019
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Description of Action	Authorizes relocation of the Well N23 Treatment Building to a new site off Harbor View Road and related design modifications.
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Permit No. MA (2/26/2009)-T1—Operation—Public Water Supply.

Applicant	Dairy Farmers of America
Township/Borough	Middlebury Township

County	Tioga County
Responsible Official	Mr. Alan Sauter Plant Manager Dairy Farmers of America 72 Milk Plant Road Middlebury Center, PA 16935

Type of Facility	Public Water Supply—Operation
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Consulting Engineer	N/A
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Permit Issued	August 23, 2019
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Description of Action	Authorizes transfer from Dietrich's Milk Products, LLC to Dairy Farmers of America, of the minor permit amendment that was issued to Dietrich's Milk Products, LLC on February 26, 2009, for the rerouting of transmission lines to provide blending of North Well and South Wells # 1 and # 2 for arsenic treatment and the installation of back-up booster pump, motor, and hydropneumatic tank.
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Northwest Region: Safe Drinking Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

Operation Permit issued to **Erie City Water Authority, PWSID No. 6250028**, City of Erie, **Erie County**. Permit Number 2518501 issued August 23, 2019 for the operation of the Lancaster Standpipe Bulk Loading Station. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on August 12, 2019.

Operation Permit issued to **Aqua Pennsylvania Inc., PWSID No. 6420018**, Mt. Jewett Borough, **McKean County**. Permit Number 4296502-T2-MA1 issued August 23, 2019 for the operation of the Crest Hill Water Storage Tanks. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on August 2, 2019.

Permit No. 6119501, Public Water Supply.

Applicant	Aqua PA Inc.
Township or Borough	Emlenton Borough
County	Venango County
Type of Facility	Public Water Supply
Consulting Engineer	Mark R. Widdersheim, PE Entech Engineering 400 Rouser Road Bldg 2 Coraopolis, PA 15108
Permit to Construct Issued	August 23, 2019

WATER ALLOCATIONS

Actions taken on applications received under the Act of June 24, 1939 (P.L. 842, No. 365) (35 P.S. §§ 631—641) relating to the acquisition of rights to divert waters of the Commonwealth.

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

WA-09-962A, Water Allocations. **Township of Falls Authority**, 188 Lincoln Highway, Fairless Hills, PA 19030, Falls Township, **Bucks County**. Granting the right to purchase 900,000 gallons per day of water, based on a 30-day average, from Morrisville Municipal Authority, in Bucks County.

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 Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Jackson Township	439 Roth's Church Road Spring Grove, PA 17362-8872	York

Plan Description: Approval is granted for a revision to the Official Plan for Jackson Township, York County. The plan revision is a Special Study to address the replacement of two pump stations with larger capacity pumps. The Sprenkle Road Pump Station will be upgraded to 1,400 gallons per minute and the Sunnyside Road Pump Station will be upgraded to 1,100 gallons per minute.

Permits must be obtained in the name of the municipality or authority as appropriate. The Department's review of the Special Study has not identified any significant impacts resulting from this proposal. The DEP Code Numbers for this plan are H1-67931-ACT and Application No. 371518.

SEWAGE FACILITIES ACT PLAN DISAPPROVAL

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

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Reading Township	50 Church Road East Berlin, PA 17316	Adams

Plan Description: The planning module for new land development for the Randall B. Inskip Subdivision, DEP Code No. A3-01928-291-2, consisting of the subdivision of a 25-acre tract into 2 building lots using individual on lot sewage disposal system, is denied. The project is located on the north side of East Berlin Road, east of the Lake Meade Road in Reading Township, Adams County. A small portion of the property lies in Tyrone Township. The plan is denied because the applicant failed to submit information necessary to address the technical deficiencies identified in DEP's June 19, 2019 letter. Those deficiencies are: The preliminary hydrogeologic study uses an off-site nitrate-nitrogen sample result exceeding the drinking water maximum contaminant level (MCL) of 10 mg/L to characterize the background groundwater levels under the project site. The Department cannot issue sewage planning approval where groundwater pollution already exists. To better characterize on-site conditions, the Department recommends sampling the site by drilling a test well in accordance with the Instruction for Completing Component 2, page 11, Section L.2.b. Additionally, the studge uses off-site and upgradient groundwater in its dilution calculations, when in fact each proposed lot must be able to support dilution calculations, when in fact, each proposed lot must be able to support dilution within its own boundaries.

HAZARDOUS SITES CLEAN-UP UNDER THE ACT OF OCTOBER 18, 1988

Notice of Proposed Settlement Under HSCA/CERCLA

Alderfer Landfill HSCA Site Franconia Township, Montgomery County

The Department of Environmental Protection ("Department"), under the authority of the Hazardous Sites Cleanup Act ("HSCA"), 35 P.S. §§ 6020.101 et seq., and the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C.A. §§ 9601 et seq., has entered into a proposed Consent Order and Agreement with the **Estate of James Fosbenner** related to the Alderfer Landfill HSCA Site ("Site") in Franconia Township, **Montgomery County**, Pennsylvania.

The Alderfer Landfill Site consists of a 5.54-acre property identified in Montgomery County property tax records as Tax Parcel No. 34-00-04957-00-4. The Site was

initially used for a quarrying operation. After quarrying ceased, the resulting sixty-foot deep quarry was used as a disposal area for municipal, residual, hazardous, and demolition wastes, as well as sewage sludge from septic tank pumping. Radioactive slag was also deposited on three areas of the Site. A 1988 investigation by the United States Environmental Protection Agency ("USEPA") found elevated levels of polychlorinated biphenyls ("PCBs"), pesticides, and heavy metals that all met the definition of hazardous substances and contaminants as defined by Section 103 of HSCA, 35 P.S. § 6020.103. The radioactive slag material contained thorium at concentrations of 0.1 to 1.0%.

In 1989, USEPA performed a Removal Action under the authority of Section 104 of CERCLA, 42 U.S.C.A. § 9604 and 40 CFR 300.415, which consisted of capping the areas where hazardous substances and contaminants were found with 3 feet of fill material, top soil, and vegetative cover. In 1993 and 1994, the Department performed an interim response action under the authority of Section 501(a) of HSCA, 35 P.S. § 6020.501(a), which consisted of (1) the installation of a gabion wall between the Site and the adjacent unnamed tributary of Skippack Creek, (2) the excavation of approximately 322 cubic yards of radioactive slag, which were placed into two vaults constructed on the Site, and (3) the installation of a two-foot thick soil cap over the surface of the Site. The gabion wall was designed to be a barrier between the local stream and on-site soils and to prevent the stream from eroding the Site and exacerbating the contamination. The cap is designed to prohibit direct exposure by persons to hazardous substances and contaminants remaining at the Site. In 1995, the Department installed monitoring wells on the Site and found elevated levels of Trichloroethene ("TCE"), cis-1,2-Dichloroethene ("DCE"), and Chloroethene, which are all hazardous substances and contaminants as defined by Section 103 of HSCA, 35 P.S. § 6020.103, in groundwater at the Site in excess of the Medium Specific Concentrations ("MSCs").

The Department is proposing to enter into a Consent Order and Agreement ("CO&A") with the current property owner, the Estate of James Fosbenner ("Owner"), under the authority of Sections 512 and 1102 of HSCA, 35 P.S. §§ 6020.512 and 6020.1102. The CO&A requires the Owner to enter into an Environmental Covenant and a Mortgage Lien. The Environmental Covenant contains provisions for the Owner to maintain the property as well as prevent disturbances to the Department's interim response. The Mortgage Lien represents the most recent tally of the response costs incurred by the Department, \$116,294.70 (One Hundred and Sixteen Thousand, Two Hundred and Ninety-Four Dollars and Seventy Cents). The mortgage shall remain in place until the Department has been reimbursed in full for its response costs.

This notice is provided pursuant to Section 1113 of HSCA, 35 P.S. § 6020.1113. The proposed Consent Order and Agreement may be examined from 8 AM to 4 PM at the Department's offices at 2 East Main Street, Norristown, PA by contacting either Tim Cherry at (484) 250-5728 or Hannah Leone, Esquire at (484) 250-5858. Mr. Cherry and Ms. Leone may also be contacted electronically at tcherry@pa.gov and haleone@pa.gov, respectively. A public comment period on the proposed Consent Order and Agreement will extend for a period of 60 days from the date of this notice. Interested persons may submit written comments regarding these agreements to the Department by submitting them to Tim Cherry in the Environmental Cleanup and Brownfields Program at the above address.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995
PREAMBLE 2

The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

For further information concerning plans or reports, contact the environmental cleanup program manager in the Department regional office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

Praedium Partners-Forks Property, 108 Golf Drive, Barrett Township, **Monroe County**, MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Praedium Partners LLC, 160 North Point Boulevard, Suite 200, Lancaster, PA 17601, submitted a combined Remedial Investigation Report, Cleanup Plan, and Final Report concerning remediation of soil and groundwater contaminated by historic releases of petroleum from underground storage tanks. The report is intended to document remediation of the site to meet Site-Specific Standards.

Former Baird Medical Supply Store, 5374 & 5392 Hamilton Boulevard, Lower Macungie Township, **Lehigh County**, Resource Renewal, 10 Lippincott Lane, Unit 1, Mount Holly, NJ 08060, on behalf of Summerwood Corpo-

ration, 14 Ballingomingo Road, Conshohocken, PA 19428, submitted a combined remedial investigation report and cleanup plan concerning remediation of soil that was contaminated with PCBs, VOCs, SVOCs, and metals from former operations at the site, including a gasoline service station and a former junkyard. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Lehigh Valley Hospital, 1200 South Cedar Crest Boulevard, Salisbury Township, **Lehigh County**. Moonstone Environmental, LLC, 1150 Glenlivet Drive, Suite A-23, Allentown, PA 18106, on behalf of Lehigh Valley Health Network, 1200 South Cedar Crest Boulevard, Allentown, PA 18103, submitted a Final Report concerning remediation of soil contaminated by a release of aviation fuel that was discovered during a construction project. The report is intended to document remediation of the site to meet Residential Statewide Health Standards.

NFI Industries, 1 Liz Way, Coolbaugh Township, **Monroe County**. Environmental Products & Services of Vermont, 1539 Bobali Drive, Harrisburg, PA 17104, on behalf of 1st Class Services Inc., 32 Wernik Place, 2nd Floor, Suite J, Metuchen, NJ 08840, submitted a Final Report concerning remediation of soil contaminated by a release of diesel fuel from a truck's saddle tank. The report is intended to document remediation of the site to meet Non-residential Statewide Health Standards.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 3

The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area

remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department regional office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

Pine Ridge Community Association, 4770 Pine Ridge Drive West, Lehman Township, **Pike County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Pine Ridge Community Association, 4770 Pine Ridge Drive West, Bushkill, PA 18324, submitted a Final Report concerning remediation of soil contaminated by a release of heating oil from an aboveground storage tank. The report was intended to document remediation of the site to meet Statewide Health Standards but was disapproved by DEP on August 15, 2019.

Northcentral Region: Environmental Cleanup Program Manager, 208 West Third Street, Williamsport, PA 17701.

Faluda Express Diesel Fuel Cleanup, Hoyt Farm Property, 3208 Wyalusing New Albany Road, New Albany Borough, **Bradford County**. Civil & Environmental Consultants, Inc., 333 Baldwin Road, Pittsburgh, PA 15205, on behalf of Faluda Express LLC, 11517 SW 175 Terrace, Miami, FL 33157, has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel. The report demonstrated attainment of the Statewide Health Standard and was approved by the Department on August 20, 2019.

T & R Trucking Hatch Hill Road Accident, 70 Wild Goose Lane, New Albany, Albany Township, **Bradford County**. Civil & Environmental Consultants, Inc., 333 Baldwin Road, Pittsburgh, PA 15205, on behalf of T & R Trucking, 334 Bell Drive, Saegertown, PA 16433, has submitted a Site Characterization and Final Report concerning remediation of site soil contaminated with produced fluid. The report demonstrated attainment of the Statewide Health Standard and was approved by the Department on August 20, 2019.

Evans Delivery Company Spill Cleanup, Interstate 80 at MM 189.8E, Loganton, Greene Township, **Clinton County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of Evans Delivery Company, 702 S. Reading Ave, Boyertown, PA 19512, has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel and motor oil. The report demonstrated attainment of the Statewide Health Standard and was approved by the Department on August 12, 2019.

**REGULATED MEDICAL AND
CHEMOTHERAPEUTIC WASTE TRANSPORTER
LICENSES**

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

Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170.

Renewal Applications Received

Med Assure of Indiana, LLC, 1013 S Girls School Rd, Indianapolis, IN 46231. License No. PA-HC 0248. Effective Aug 22, 2019.

Transporter License Reissued

Med Assure of Indiana, LLC, 1013 S Girls School Rd, Indianapolis, IN 46231. License No. PA-HC 0248. Effective Aug 22, 2019.

AIR QUALITY

General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790.

Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2531.

GP3-58-065: F.S. Lopke Contracting Incorporated (3430 State Route 434, Apalachin, NY 13732) on August 14, 2019, for the installation and operation of a portable stone crushing plant at the facility located in Bridgewater Township, **Susquehanna County**.

GP9-58-065: F.S. Lopke Contracting Incorporated (3430 State Route 434, Apalachin, NY 13732) on August 14, 2019, for the installation and operation of I C Engines at the facility located in Bridgewater Township, **Susquehanna County**.

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

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

GP1-67-03158: York Container Co. (138 Mt. Zion Road, York, PA 17402) on August 15, 2019, for two existing boilers, under GP1, at the facility located in Springettsbury Township, **York County**. The general authorization was renewed.

GP1-36-03181C: Nissin Foods Co., Inc. (2901 Hempland Road, Lancaster, PA 17601) on August 16, 2019, for two new natural gas-fired boilers and eight existing boilers, under GP1, at the facility located in East Hempfield Township, **Lancaster County**.

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

Contact: Ed Orris, P.E., New Source Review Chief—Telephone: 412-442-4168.

GP5A-30-000253/AG5-30-00008A: CNX Gas Company, LLC (1000 Consol Energy Drive, Canonsburg, PA 15317) on August 23, 2019, for authorization to expand the existing RHL-4 unconventional natural gas well site consisting of ten (10) natural gas wells in Richhill Township, **Greene County**.

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

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

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

22-05059A: MI Profiles LLC (1519 State Route 209, Millersburg, PA 17061) on August 20, 2019, for the retroactive approval of two existing Laminators at the MI Profiles Millersburg Plant located in Upper Paxton Township, **Dauphin County**.

06-05154B: Birdsboro Power LLC (1 Armorcast Road, Birdsboro, PA 19508) on August 20, 2019, for the modification of plan approval 06-05154A, which was issued for the construction of a natural gas-fired combined cycle electric generation facility located in Birdsboro Borough, **Berks County**. The plan approval modification removes duct burner emissions and hours of operation restrictions since the duct burners will not be installed. Also, it removes the startup/shutdown hours of operation restrictions.

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

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

Contact: Ed Orris, P.E., New Source Review Chief—Telephone: 412-442-4168.

11-00356E: Equitrans, L.P. (2200 Energy Drive, Canonsburg, PA 15317) on August 21, 2019, to 1) change the commissioning and final compliance stack testing completed by date for Dresser-Clark Engine 3 from December 31, 2018 to December 31, 2019 and 2) incorporate presumptive Reasonably Available Control Technology (RACT) requirements in accordance with 25 Pa. Code §§ 129.96—129.100 for Indirect Heater 1, Indirect Heater 2, Misc. Combustion Equipment, Indirect Heater 3, Misc. Process Equipment, and Laurel Ridge Engine # 3 at Rager Mountain/Laurel Ridge Transmission Station located in Jackson Township, **Cambria County**.

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

Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.

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

06-05064: Sunoco Partners Marketing & Terminals LP (525 Fritztown Road, Sinking Spring, PA 19608-1509) on August 16, 2019, for the petroleum products distribution terminal located in Spring Township, **Berks County**. The Title V permit was renewed.

44-05001: Standard Steel LLC (500 North Walnut Street, Burnham, PA 17009-1644) on August 15, 2019, for the steel manufacturing facility in Burnham Borough, **York County**. The Title V permit underwent a significant modification to add case-by-case RACT 2 requirements for the facility, remove reference to # 2 oil usage, add emission caps, and make minor naming and administrative clarifications. The portions of the permit related to approval of the RACT 2 case-by-case proposal will be submitted to US EPA for approval and incorporation into Pennsylvania's State Implementation Plan (SIP). Other requirements will be excluded from the SIP submittal.

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

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790.

Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2507.

54-00084 Pierson-Middleport, LLC (P.O. Box 704, Bridgeport, NJ 08014-0704) The Department issued, on 8/26/19, a State-Only Operating Permit for operation of sources at a sand and gravel mining operation in Walker Township, **Schuylkill County**. The sources include crushers, conveyors, screens, sandscrews, feeders, stackers, and a classifying tank. Other sources include two water pump engines. The sources are controlled by water spray systems. Two general permits have been issued for a portable crusher and associated engine. The permit contains all 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.

54-00035: Tredegar Corporation (30 Maple Avenue, Pottsville, PA 17901). On August 5, 2019, the Department issued a renewal State-Only (Natural Minor) Permit for the manufacture of unsupported plastics, film, and sheet facility located in Norwegian Township, **Schuylkill County**. The primary sources consist of fifteen (15) plastic extrusion lines. The control devices consist of a baghouse. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP), and volatile organic compounds (VOC) emissions. The 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.

Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.

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

38-03028: Brentwood Industries, Inc. (2101 Lehman Street, Lebanon, PA 17046-2757) on August 14, 2019, for the thermo-formed products manufacturing facility located in West Lebanon Township, **Lebanon County**. The State-only permit was renewed.

01-05020: Knouse Foods Cooperative, Inc. (P.O. Box 807, Biglerville, PA 17307-0807) on August 20, 2019, for the fruit processing facility at the facility located in Biglerville Borough, **Adams County**. The State-only permit was renewed.

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

Contact: Tom Joseph, P.E., Facilities Permitting Chief—Telephone: 412-442-4336.

OP-03-00244: Dominion Energy Transmission, Inc. (5000 Dominion Blvd. # 2 NW, Glen Allen, VA 23060-3308) on August 21, 2019, State Only Operating Permit issued for 5-year term for their Rural Valley Compressor Station located in Valley Township, **Armstrong County**.

26-00177: Golden Eagle Construction (1122 Jumonville Road, Uniontown, PA 15401-0945) on August 21, 2019, the Department of Environmental Protection (DEP) authorized a renewed synthetic minor operating permit for an asphalt plant located in North Union Township, **Fayette County**. There are production limits to keep the facility under Title V thresholds, and periodic testing using a portable analyzer is required for CO emission monitoring. The permit includes operating requirements, monitoring requirements, and recordkeeping requirements for the site.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers 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.

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

Contact: Thomas Joseph, P.E., Facilities Permitting Chief—Telephone: 412-442-4336.

04-00445: VEKA, Inc. (100 Veka Drive, Fombell, PA 16123). Administrative Amendment, issued on August 21, 2019, to incorporate conditions from plan approval PA-04-00445C into their State-only operating permit. VEKA, Inc. manufactures residential and commercial polyvinyl chloride (PVC) window and door system profiles. Plan approval PA-04-00445C authorized the installation and operation of a new lamination line at the facility. The VEKA, Inc. Fombell Plant is located in Marion Township, **Beaver County**.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.20a). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P.S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1002).

Coal Permits Issued

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

Permit No. 49120102R. Clinton M. Wynn Mining, (419 Shingara Lane, Sunbury, PA 17801), renewal of an existing anthracite surface mine operation in West Cameron and Zerbe Townships, **Northumberland County** affecting 98.5 acres, receiving streams: Mahanoy Creek and Zerbe Run. Application received: November 2, 2018. Renewal issued: August 20, 2019.

Permit No. PAM112077R. Clinton M. Wynn Mining (419 Shingara Lane, Sunbury, PA 17801), renew coverage under the General NPDES Permit for Stormwater Discharges Associated With Mining Activities (BMP GP-104) on Surface Mining Permit No. 49120102 in West Cameron and Zerbe Townships, **Northumberland County**, receiving stream: Mahanoy Creek and Zerbe Run. Application received: November 2, 2018. Renewal issued: August 20, 2019.

Permit No. 35840203R7. CSY, Inc. (400 Mill Street, Dunmore, PA 18512), renewal of an existing anthracite surface mine and coal refuse reprocessing operation in the City of Scranton and Taylor Borough, **Lackawanna County** affecting 61.5 acres, receiving stream: Lackawanna River. Application received: May 10, 2019. Renewal issued: August 20, 2019.

Permit No. PAM111103R2. CSY, Inc. (400 Mill Street, Dunmore, PA 18512), renew coverage under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP GP-104) on Surface Mining Permit No. 35840203 in the City of Scranton and Taylor Borough, **Lackawanna County**, receiving stream: Lackawanna River. Application received: May 10, 2019. Renewal issued: August 20, 2019.

Permit No. 35970201C. APHC II, Inc. (148 Adams Avenue, Scranton, PA 18503), correction of an existing anthracite surface and coal refuse reprocessing operation to decrease the permitted acres from 26.8 acres to 10.0 acres in the City of Scranton, **Lackawanna County**, receiving stream: Laurel Run. Application received: May 13, 2019. Correction issued: August 20, 2019.

Permit No. PAM113001C. APHC II, Inc. (148 Adams Avenue, Scranton, PA 18503), correction of coverage under the General NPDES Permit for Stormwater Discharges

Associated with Mining Activities (BMP GP-104) on Surface Mining Permit No. 35970201 in the City of Scranton, **Lackawanna County**, receiving stream: Laurel Run. Application received: May 13, 2019. Correction issued: August 20, 2019.

Noncoal Permits Issued

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

25130303. Raymond D. Showman & Sons, Inc. (12851 Route 86, Edinboro, PA 16412). Revision to an existing large industrial minerals surface mine to add 6.1 acres, bringing the total acreage to 156.1 in LeBoeuf Township, **Erie County**. Receiving streams: Unnamed tributary to French Creek and French Creek. Application received: January 7, 2019. Permit issued: August 13, 2019.

37090302. Allegheny Mineral Corporation (P.O. Box 1-22, Kittanning, PA 16201). Renewal of NPDES Permit No. PA0258768 in Slippery Rock Township, **Lawrence County**. Receiving streams: Slippery Rock Creek and an unnamed tributary to Slippery Rock Creek. Application received: May 28, 2019. NPDES Renewal Permit issued: August 13, 2019.

37080305. 422 Aggregates, LLC (223 Fourth Avenue, 4th Floor, Pittsburgh, PA 15222). Renewal of NPDES Permit No. PA0258636 in Slippery Rock Township, **Lawrence County**. Receiving streams: Unnamed tributary to Slippery Rock Creek. Application received: May 1, 2019. NPDES Renewal Permit issued: August 13, 2019.

New Stanton District Office: P.O. Box 133, 131 Broadview Road, New Stanton, PA 15672, 724-925-5500.

03180801. Rosebud Mining Company (301 Market Street, Kittanning, PA 16201). Permit issued for commencement, operation and restoration of a small noncoal surface mine, located in Bethel Township, **Armstrong County**, affecting 4.9 acres. Receiving streams: unnamed tributary to Allegheny River. Application received: November 27, 2018. Permit issued: August 23, 2019.

PAM318005. Rosebud Mining Company (301 Market Street, Kittanning, PA 16201). General NPDES permit for stormwater discharge associated with mining activities on an existing small noncoal (Industrial Mineral), Permit No. 03180801, located in Bethel Township, **Armstrong County** affecting 4.9 acres. Receiving streams: unnamed tributary to Allegheny River. Application received: November 27, 2018. GP-104 permit issued: August 23, 2019.

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

Permit No. 49030301C5 and NPDES Permit No. PA0224316. Meckley's Limestone Products, Inc. (1543 State Route 225, Herndon, PA 17930), renewal of NPDES Permit for discharge of treated mine drainage in Lower Mahanoy and Jordan Townships, **Northumberland County**, receiving stream: unnamed tributary to Fidlers Run. Application received: August 6, 2018. Renewal issued: August 20, 2019.

Permit No. PAM118008C. Alliance Sand Company (415 Golf Road, Palmerton, PA 18071), modified coverage under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP GP-104) on Surface Mining Permit No. 7373SM2 in Lower Towamensing Township and Palmerton Borough, **Carbon County**, receiving stream: Lehigh River Watershed. Application received: May 9, 2019. Correction issued: August 21, 2019.

Permit No. 80734SM1C12. Highway Materials, Inc. (409 Stenton Avenue, Flourtown, PA 19031), depth correction of a quarry operation in Marlborough Township, **Montgomery County** affecting 80.9 acres, receiving stream: Unami Creek. Application received: July 26, 2018. Correction issued: August 22, 2019.

Permit No. 66182502. S. McClain Stone Company, Inc. (P.O. Box 585, 5541 SR 6 West, Tunkhannock, PA 18657), commencement, operation and restoration of a quarry operation in Lemon Township, **Wyoming County** affecting 5.6 acres, receiving stream: no discharge to Meshoppen Creek. Application received: December 7, 2018. Permit issued: August 23, 2019.

Permit No. PAM118045. S. McClain Stone Company, Inc. (P.O. Box 585, 5541 SR 6 West, Tunkhannock, PA 18657), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 66182502 in Lemon Township, **Wyoming County**, receiving stream: no discharge to Meshoppen Creek. Application received: December 7, 2018. Permit issued: August 23, 2019.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

Blasting Permits Issued

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200.

08194105. Meshoppen Blasting, Inc. (Frantz Road, P.O. Box 127, Meshoppen, PA 18630). Blasting for construction of the Chesapeake Molly J Gas Well Pad located in Monroe and Overton Townships, **Bradford County** with an expiration date of August 9, 2020. Permit issued: August 21, 2019.

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

Permit No. 23194108. Pact Construction, Inc. (P.O. Box 74, Ringoes, NJ 08551), construction blasting for Chester Creek Interceptor Phase III sewer project in Middleton Township, **Delaware County** with an expiration date of August 14, 2021. Permit issued: August 21, 2019.

Permit No. 46194109. Rock Work, Inc. (1257 DeKalb Pike, Blue Bell, PA 19422), construction blasting for Newbury Development in Upper Gynedd Township, **Montgomery County** with an expiration date of September 1, 2020. Permit issued: August 21, 2019.

Permit No. 46194110. Pact Construction, Inc. (P.O. Box 74, Ringoes, NJ 08551), construction blasting for Morwood Area Sanitary Sewer System in Franconia Township, **Montgomery County** with an expiration date of August 15, 2020. Permit issued: August 21, 2019.

Permit No. 58194001. Northeast Blasting (403 Middle Creek Road, Honesdale, PA 18431), construction blasting for Don Twining Road Fill Project in Gibson Township, **Susquehanna County** with an expiration date of August 13, 2020. Permit issued: August 23, 2019.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

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

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

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

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E3603219-006: Manheim Township, 1840 Municipal Drive, Lancaster, PA 17601 in Manheim Township, **Lancaster County**, U.S. Army Corps of Engineers Baltimore District.

To 1.) regrade approximately 1,336 feet of Landis Run (WWF, MF) including the construction of floodplain benches on both sides of the watercourse; and 2.) remove an existing structure and construct and maintain an 8.5-foot long by 12.0-foot wide structural steel grate bridge having an underclearance of 0.8 feet across Landis Run (WWF, MF) for the purpose of reducing sediment and nutrient loading to the stream and providing pedestrian access to Stoner Park. The project is located near the intersection of Butler Road and Heatherstone Way (Latitude: 40° 04' 50" N; Longitude: 76° 16' 17" W) in Manheim Township, Lancaster County. No wetlands will be impacted by this project. The permit was issued on August 26, 2019.

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

EA59042-001. Tioga County Development Corporation, 114 Main Street, Wellsboro, PA 16901. Pipe Removal, **Tioga County**, ACOE Baltimore District. (Potter Brook, PA Quadrangle Latitude: 41.912954; Longitude: -77.536075).

To remove two, 4 inch asbestos wrapped pipes co-located in an existing stream culvert. Each pipe is approximately 110 linear feet. This project will result in 220 square feet of temporary impact to Closes Creek, which is classified as "Trout Stocked Fishes" and "Migratory Fishes" in Chapter 93 of the Department's Water Quality Standards. Closes Creek is tributary to the Cowanesque River which is designated as "Stocked Trout Waters" by the Pennsylvania Fish and Boat Commission. This approval under Chapter 105, Section 105.12(a)(11) also includes 401 Water Quality Certification.

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

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

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

Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335.

ESCGP-3 # ESG081019005-00-W45 to W60 Pipeline
Applicant Pine Run Midstream, LLC
Contact Mr. Cody Salmon
Address 1000 Commerce Park Drive, Park Place One, Suite 400
City Pittsburgh State PA Zip Code 15275
County Butler Township Winfield
Receiving Streams and Classifications UNTs to Cornplanter Run, Cornplanter Run & UNT to Buffalo Creek

ESCGP-3 # ESX130190044-01—Bloom Well Pad
Applicant PennEnergy Resources LLC
Contact Richard Watson
Address 1000 Commerce Park Drive, Park Place One, Suite 400
City Pittsburgh State PA Zip Code 15275
County Butler Township(s) Connoquenessing
Receiving Stream(s) and Classification(s) UNTs to TRIB 34990 to Little Connoquenessing Creek

Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701.

ESCGP-3 # ESG294119018-00
Applicant Name SWN Production Company, LLC
Contact Person Afton Sterling
Address 917 State Route 92 North
City, State, Zip Tunkhannock, PA 18657
County Lycoming
Township(s) Cogan House Twp.
Receiving Stream(s) and Classification(s) UNT to Flicks Run (EV) and Steam Valley Run (EV)
Secondary Receiving Waters: Little Pine Creek (EV)

ESCGP-3 # ESG295919010-00
Applicant Name HEP Tioga Gathering LLC
Contact Person Kevin Williams
Address 17806 IH-10 West, Suite 210
City, State, Zip San Antonio, TX 78257
County Tioga & Lycoming
Township(s) Liberty Twp. (Tioga)/Pine and Jackson Twps. (Lycoming)
Receiving Stream(s) and Classification(s) Blacks Creek & UNTs (Designated Use—CWF, MF), (Existing Use—EV, MF)
Secondary Receiving Water: Blockhouse Creek (Designated Use—CWF, MF), (Existing Use—EV, MF)

ESCGP-3 # ESG294119021-00
Applicant Name Rockdale Marcellus LLC
Contact Person Sean Wainwright
Address 4600 J Barry Court, Suite 120
City, State, Zip Canonsburg, PA 15317
County Lycoming
Township(s) McIntyre Twp.
Receiving Stream(s) and Classification(s) UNT to Red Run (CWF & MF)
Secondary Receiving Water: Lycoming Creek (CWF & MF)

Southwest District Oil and Gas Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

[E26-07-006] Appalachian Water Services, 195 Enterprise Lane, Connellsville, PA 15425.

To permit a 14 foot by 17 foot gravel pump pad located within the FEMA floodway of the Monongahela River and the placement of two floating intake structures within the channel of the Monongahela River, a Warm Water Fisheries, in Masontown Borough, **Fayette County**, Pittsburgh USACE District, (Masontown Quadrangle, Latitude N 39°

51' 14", Longitude W -79° 55' 27.9"). This project will temporarily impact 20 LF of stream and 50 LF of floodway with the installation of the intake and permanently impacts 0.005 acre of FEMA floodway with the constructed gravel pump pad.

CORRECTIVE ACTION UNDER ACT 32, 1989

PREAMBLE 2

The following plans and reports were submitted under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).

Provisions of 25 Pa. Code Chapter 245 Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or non-residential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

For further information concerning plans or reports, please contact the Environmental Cleanup Program Manager in the DEP Regional Office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the DEP through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

VanDuzer Service Station, Storage Tank ID # 66-22557, 121 East Tioga Street, Tunkhannock Borough, **Wyoming County**. LaBella, 1000 Dunham Drive, Suite B, Dunmore, PA 18512, on behalf of Kurt VanDuzer, 129 Bridge Street, Tunkhannock, PA 18657, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum. The plan is intended to document the remedial actions for meeting a combination of Site-Specific and Statewide Health Standards.

Speedway 6742, Storage Tank ID # 48-32013, 3283 Easton Avenue, Bethlehem Township, **Northampton County**. EMS Environmental, 4550 Bath Pike, Bethlehem, PA 18017, on behalf of Speedway LLC, 500 Speedway Drive, Enon, OH 45323, submitted a combined Site Characterization Report and Remedial Action Plan concerning remediation of soil and groundwater contami-

nated with petroleum. The report is intended to document the remedial actions for meeting Residential Statewide Health Standards.

Kingston DPW Building, Storage Tank ID # 40-50330, 455 Church Street, Kingston Borough, **Luzerne County**. Borton Lawson, 613 Baltimore Drive, Suite 300, Wilkes-Barre, PA 18701, on behalf of Kingston Borough, 500 Wyoming Avenue, Kingston, PA 18704, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum. The plan is intended to document the remedial actions for meeting Site-Specific Standards.

Promised Land Junction, Storage Tank ID # 52-50520, 895 State Route 390, Palmyra Township, **Pike County**. United Environmental Services, P.O. Box 701, Schuylkill Haven, PA 17972 on behalf of Judith and Victor Apellanes, 895 State Route 390, Greentown, PA 18426, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with gasoline. The report is intended to document remediation of the site to meet Statewide Health Standards.

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

7 Eleven 40450, Storage Tank Facility ID # 01-39481, 12 Deatrick Drive, Gettysburg, PA 17325, Cumberland Township, **Adams County**, Buchart Horn, The Russell E. Horn Building, 445 West Philadelphia Street, P.O. Box 15040, York, PA 17405 on behalf of Shipley Energy, 415 Norway Street, York, PA 17403, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum constituents. The report is intended to document remediation of the site to meet the Site-Specific Standard and the Statewide Health Standard.

Northcentral Region: Environmental Cleanup & Brownfields Program Manager, 208 West Third Street, Williamsport, PA 17701.

Superior Plus Energy Services Muncy Station, Storage Tank Facility ID # 41-70311, 421 N Main St, Muncy Township, **Lycoming County**. Matrix Environmental Technologies, Inc., P.O. Box 427, Orchard Park, NY 14127, on behalf of Superior Plus Energy Services, Inc., 1870 S Winton Rd # 200, Rochester, NY 14618, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with volatile organic compounds. The plan is intended to document the remedial actions for meeting the Statewide Health Standard.

CORRECTIVE ACTION UNDER ACT 32, 1989

Preamble 3

The DEP has taken action on the following plans and reports under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).

Provisions of 25 Pa. Code Chapter 245 Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports.

A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of

studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or non-residential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

The DEP may approve or disapprove plans and reports submitted. This notice provides the DEP's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, please contact the Environmental Cleanup Program Manager in the DEP Regional Office under which the notice of the plan or report appears. If information concerning a report is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the DEP through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The DEP has received the following plans and reports:

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

Camp Morasha, Storage Tank ID # 64-51709, State Route 247, Buckingham Township, **Wayne County**, Resource Environmental Management, 50 Maple Street, Montrose, PA 18801, submitted a Remedial Action Completion Report on behalf of Camp Morasha, Inc., 1118 Avenue J, Brooklyn, NY 11230-3606, concerning remediation of groundwater contaminated with benzene, toluene, ethylbenzene, methyl tert-butyl ether, total xylenes, cumene, naphthalene, 1,3,5-trimethylbenzene, and 1,2,4-trimethylbenzene. The Remedial Action Completion Report demonstrated attainment of Residential Statewide Health Standards and was approved by DEP on August 14, 2019.

Canadensis Gulf Station, Storage Tank ID # 45-16982, Route 390 & Route 447, Barrett Township, **Monroe County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of W.S. Peeney, Inc., 1745 West Main Street, Stroudsburg, PA 18360, submitted a combined Site Characterization Report and Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The report was acceptable to meet Statewide Health Standards and was approved by DEP on August 19, 2019.

Fast Fill, Storage Tank ID # 13-07749, 24 Blakeslee Boulevard Drive (Route 443), Lehighon Borough, **Carbon County**. Synergy Environmental, 15 Railroad Plaza, First Floor, Royersford, PA 19468, on behalf of Vista Fuels LLC, RR1, Box 58-16, Andreas, PA 18221 submitted a combined Site Characterization Report and Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline and diesel. The report was acceptable to meet Residential Statewide Health Standards and was approved by DEP on August 19, 2019.

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

Sunoco 0601 0458, Storage Tank Primary Facility ID # 29-61427, 9648 Old 126, Exit 156, I-70, Warfordsburg, PA 17267, Brush Creek Township, **Fulton County**,

Groundwater and Environmental Services, Inc., 301 Commerce Park Drive, Cranberry Township, PA 16066, on behalf of Evergreen Resources Group, LLC, 2 Righter Parkway, Suite 120, Wilmington, DE 19803, submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with petroleum constituents on July 1, 2019. The Remedial Action Completion Report did not demonstrate attainment of the Statewide Health Standard and was disapproved by the Department on August 14, 2019.

Sunoco 0601 0458, Storage Tank Primary Facility ID # 29-61427, 9648 Old 126, Warfordsburg, PA 17267, Brush Creek Township, **Fulton County**, Groundwater & Environmental Services, Inc., 301 Commerce Park Drive, Cranberry Township, PA 16066 on behalf of Evergreen Resources Management Operations, 2 Righter Parkway, Suite 120, Wilmington, DE 19803, submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with petroleum constituents on August 6, 2019. The Remedial Action Completion Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on August 16, 2019.

Northcentral Region: Environmental Cleanup & Brownfields Program Manager, 208 West Third Street, Williamsport, PA 17701.

Former Kwik Fill Station # M-168, Storage Tank Facility ID # 59-23825, 23 Main Street, Lawrenceville, **Tioga County**. Groundwater & Environmental Services, Inc., 301 Commerce Park Drive, Cranberry Township, PA 16066 on behalf of United Refining Company of Pennsylvania, 814 Lexington Avenue, P.O. Box 688, Warren, PA 16365, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The Remedial Action Plan was acceptable to meet the Statewide Health Standard and was approved by DEP on August 8, 2019.

SPECIAL NOTICES

Proposed State Water Quality Certification Required by Section 401 of the Clean Water Act, General Permit Registration and ESCGP-3 for the Line 1711 Cathodic Protection

Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Dana Drake, P.E., Program Manager 412.442.4149.

WQ65052-002, Columbia Gas Transmission, LLC (Applicant), 1700 MacCorkle Avenue SE, Charleston, WV 25325. Line 1711 Cathodic Protection 2019 Project (Project), North Huntington, Hempfield, Penn, Salem, Loyalhanna Townships, **Westmoreland County**, in the Army Corps of Engineers (ACOE) Pittsburgh District. The proposed project starts to the east of the Pennsylvania Turnpike 76 between Arona Road in Irwin, PA Quadrangle at N: 40° 18' 12.54"; W: 79° 45' 10.30" and ends west of Moween Road before the Conemaugh River in Saltsburg, PA Quadrangle at N: 40° 28' 38.54"; W: 79° 25' 40.08".

The Applicant will report the project to Federal Energy Regulatory Commission (FERC) in its annual blanket activities report, as authorized under blanket construction certificate (FERC Docket No. CP83-76-000) dated November 9, 1982.

On May 26, 2019, Applicant requested a State water quality certification from the Pennsylvania Department of Environmental Protection (PADEP), as required by Section 401 of the Clean Water Act (33 U.S.C.A. § 1341), to

ensure that the construction, operation and maintenance of the Project will protect water quality in Pennsylvania through compliance with State water quality standards and associated State law requirements, which are consistent with the requirements of the Clean Water Act.

In addition, the Applicant submitted a General Permit Registration Package, seeking acknowledgement from DEP, of the Applicant's use of General Permits No. 5 and 8 [GP056500219-039 and GP086500219-010], to construct and maintain several utility line stream crossings, temporary road crossings, and to replace a utility line, respectively, in accordance with the Department's Chapter 105 rules and regulations.

On May 21, 2019 the Department received an application for an ESCGP-3 [File no. ESG-00-129-19-003] after it was deemed complete by the Westmoreland County Conservation District.

The Project, as proposed, involves adding a cathodic protection system which includes the installation of 120 individual anodes, recoating a total of 914 feet of the existing pipeline in five sections, and the installation of 2,246 feet of linear anode via horizontal direction drilling (HDD) along a total of approximately 21 miles of the existing 16-inch natural gas Line 1711 pipeline. The Project, as proposed, will require approximately 21.2 acres of earth disturbance, and temporary impacts of 44 linear feet to UNTs to Getty Run (WWF), 0.58 acre of floodway impacts, 0.13 acre of temporary palustrine emergent (PEM) wetland impacts, and no permanent wetland or stream impacts.

PADEP is proposing to issue a State water quality certification to Applicant for the Project that will require compliance with the following State water quality permitting programs, criteria and conditions established pursuant to State law to ensure the Project does not violate applicable State water quality standards set forth in 25 Pa. Code Chapter 93:

1. *Discharge Permit*—Applicant shall obtain and comply with a PADEP National Pollutant Discharge Elimination System (NPDES) permit for the discharge of water from the hydrostatic testing of the pipeline pursuant to Pennsylvania's Clean Streams Law (35 P.S. §§ 691.1—691.1001), and all applicable implementing regulations (25 Pa. Code Chapter 92a).

2. *Erosion and Sediment Control Permit*—Applicant shall obtain and comply with PADEP's Chapter 102 Erosion and Sediment Control General Permit for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing or Treatment issued pursuant to Pennsylvania's Clean Streams Law and Storm Water Management Act (32 P.S. §§ 680.1—680.17), and all applicable implementing regulations (25 Pa. Code Chapter 102).

3. *Water Obstruction and Encroachment Permits*—Applicant shall obtain and comply with a PADEP Chapter 105 Water Obstruction and Encroachment Permits for the construction, operation and maintenance of all water obstructions and encroachments associated with the project pursuant to Pennsylvania's Clean Streams Law, Dam Safety and Encroachments Act (32 P.S. §§ 673.1—693.27), and Flood Plain Management Act (32 P.S. §§ 679.101—679.601.), and all applicable implementing regulations (25 Pa. Code Chapter 105).

4. *Water Quality Monitoring*—PADEP retains the right to specify additional studies or monitoring to ensure that the receiving water quality is not adversely impacted by any operational and construction process that may be employed by Applicant.

5. *Operation*—Applicant shall at all times properly operate and maintain all Project facilities and systems of treatment and control (and related appurtenances) which are installed to achieve compliance with the terms and conditions of this State Water Quality Certification and all required permits, authorizations and approvals. Proper operation and maintenance includes adequate laboratory controls, appropriate quality assurance procedures, and the operation of backup or auxiliary facilities or similar systems installed by Applicant.

6. *Inspection*—The Project, including all relevant records, are subject to inspection at reasonable hours and intervals by an authorized representative of PADEP to determine compliance with this State Water Quality Certification, including all required State water quality permits and State water quality standards. A copy of this certification shall be available for inspection by the PADEP during such inspections of the Project.

7. *Transfer of Projects*—If Applicant intends to transfer any legal or equitable interest in the Project which is affected by this State Water Quality Certification, Applicant shall serve a copy of this certification upon the prospective transferee of the legal and equitable interest at least thirty (30) days prior to the contemplated transfer and shall simultaneously inform the PADEP Regional Office of such intent. Notice to PADEP shall include a transfer agreement signed by the existing and new owner containing a specific date for transfer of certification responsibility, coverage, and liability between them.

8. *Correspondence*—All correspondence with and submittals to PADEP concerning this State Water Quality Certification shall be addressed to the Department of Environmental Protection, Dana Drake, P.E., Program Manager, Waterways and Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222.

9. *Reservation of Rights*—PADEP may suspend or revoke this State Water Quality Certification if it determines that Applicant has not complied with the terms and conditions of this certification. PADEP may require additional measures to achieve compliance with applicable law, subject to Applicant's applicable procedural and substantive rights.

10. *Other Laws*—Nothing in this State Water Quality Certification shall be construed to preclude the institution of any legal action or relieve Applicant from any responsibilities, liabilities, or penalties established pursuant to any applicable Federal or State law or regulation.

11. *Severability*—The provisions of this State Water Quality Certification are severable and should any provision of this certification be declared invalid or unenforceable, the remainder of the certification shall not be affected thereby.

Prior to issuance of the final State water quality certification, PADEP will consider all relevant and timely comments, suggestions or objections submitted to PADEP within 30 days of this notice. Comments should be directed to Dana Drake, P.E., Waterways and Wetlands Program Manager at the above address or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD). Comments must be submitted in writing and contain the name, address and telephone number of the person commenting and a concise statement of comments, objections or suggestions on this proposal. No comments submitted by facsimile will be accepted.

[Pa.B. Doc. No. 19-1368. Filed for public inspection September 6, 2019, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Nutrient Credit Trading Program; Actions; Administrative Extension

The Department of Environmental Protection (Department) has approved a 1-year administrative extension from October 1, 2019, to September 30, 2020, of the following previously approved certifications of pollutant reduction activities to generate nitrogen (N) and phosphorus (P) credits under 25 Pa. Code § 96.8 (relating to use of offsets and tradable credits from pollution reduction activities in the Chesapeake Bay Watershed) that were set to expire on September 30, 2019. Proposed pollutant reduction activities include manure gasification or conversion technology, poultry litter export, and the following agricultural best management practices (BMP): continuous no-till (CNT) planting methods, planting cover crops and grass buffers. These certification administrative extension approvals authorize the generation of N or P credits, or both, for use by facilities with National Pollutant Discharge Elimination System permits in the compliance year in which the credits are generated. This approval is valid until September 30, 2020, provided the pollution reduction activities are implemented, maintained and verified in accordance with the plans contained in the original approved certification requests.

<i>Cert. ID</i>	<i>Generator</i>	<i>Site Contact Name</i>	<i>BMP Name</i>	<i>N Credits</i>	<i>P Credits</i>	<i>Cert. Letter</i>	<i>Cert. Exp.</i>
574	CHESAPEAKE NUTRIENT MGMT, LLC	Esbenshade Farms	Poultry Litter Export	179,667	22,460	10/30/18	9/30/20
338	GETTYSBURG ENERGY & NUTRIENT RECOVERY, LLC	Thompson	Poultry Litter Combustion/Gasification	1,051,570	58,853	1/23/17	9/30/20
305	RED BARN	Hughes (Client 535, Chickies Creek Farm)	Poultry Litter Export	46,260	5,783	10/14/16	9/30/20
306	RED BARN	Hughes (Client 289, Lime Valley Farms)	Poultry Litter Export	12,226	1,528	10/14/16	9/30/20
307	RED BARN	Hughes (Client 221, Five Springs Farm)	Poultry Litter Export	5,208	651	10/14/16	9/30/20
377	RED BARN	Hughes (Rohrer Dairy Farm, LLC)	CNT, Cover Crops	6,755	0	11/11/17	9/30/20
573	TEAMAG, INC	Wilcox	CNT, Cover Crops, Grass Buffers	511	0	9/22/18	9/30/20

Persons aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457.

TDD users may contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984.

Appeals must be filed with the Board within 30 days of receipt of notice of this action unless the appropriate statute provides a different time. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

Copies of the appeal form and the Board's rules of practice and procedure may be obtained at <http://ehb.courtapps.com> or by contacting the Secretary to the Board at (717) 787-3483. The appeal form and the Board's rules are also available in braille and on audiotape from the Secretary to the Board.

Important legal rights are at stake. 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. A lawyer is not needed to file a notice of appeal with the Board.

For individuals who wish to challenge this action, appeals must be filed with and be received by the Board within 30 days of receipt of notice of this action.

For further information about this action or the Nutrient Credit Trading Program, contact the Division of Operations, Bureau of Clean Water, Department of Environmental Protection, P.O. Box 8774, Harrisburg, PA 17105-8774, RA-EPPANutrientTrad@pa.gov, (717) 787-6744 or visit the Department's web site at www.dep.pa.gov/nutrient_trading.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 19-1369. Filed for public inspection September 6, 2019, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Nutrient Credit Trading Program; Mass Certification

The Department of Environmental Protection (Department) provides notice of its intention under the Nutrient Credit Trading Program to approve a mass certification of pollutant reduction activities to generate credits by significant sewage point source discharges located in the Commonwealth portion of the Chesapeake Bay Watershed that have annual mass load effluent limitations (cap loads) in their National Pollutant Discharge Elimination System (NPDES) permits.

For a list of significant sewage point sources located in the Commonwealth portion of the Chesapeake Bay Watershed, see Table 7-1 of the Commonwealth's Phase 2 Chesapeake Bay Watershed Implementation Plan (WIP) Wastewater Supplement, available at www.dep.pa.gov/npdes-bay or on the Department's Nutrient Trading web site at www.dep.pa.gov/nutrient_trading (in the Delivery Ratio section of this webpage, Table 7-1 is linked as the Point Source Credit Generators Table). Also see 25 Pa. Code § 96.8 (relating to use of offsets and tradable credits from pollution reduction activities in the Chesapeake Bay Watershed).

Credit Certification

Effective October 1, 2019, to be eligible to generate credits for sale, all significant sewage point source discharges with an assigned cap load (see Table 7-1 of the Phase 2 WIP Wastewater Supplement) must demonstrate treated yearly effluent concentrations (baseline concentrations) below 6.0 mg/L total nitrogen (TN) and below 0.8 mg/L total phosphorous (TP) in accordance with the procedures described in the Phase 2 WIP Nutrient Trading Supplement, available in the Trading Program Overview section on the Department's Nutrient Trading web site at www.dep.pa.gov/nutrient_trading. When stringent effluent limitations for TN or TP or both are established in Part A of a significant sewage point source discharges NPDES permit for reasons other than the cap load assigned for protection of the Chesapeake Bay, the permittee is eligible to generate credits when the permittee demonstrates that these effluent limitations have been achieved in accord with the Phase 2 WIP Nutrient Trading Supplement. In addition:

- to generate credits, facilities must demonstrate they are in compliance with their NPDES permit;
- the total amount of credits a facility is certified to generate cannot exceed the facility's permitted cap load;
- the calculation of credits will be made using formulas described in the Phase 2 WIP Nutrient Trading Supplement; and
- this point source certification will expire on September 30, 2020.

To ensure that verification is complete in time for credit availability to be posted on the Department's web site, facilities are encouraged to provide the Department with their verification requests by October 28 each year. Verification requests must include a complete Annual Chesapeake Bay Spreadsheet for the compliance year in which the credits were generated (that is, October 1 through September 30). The Annual Chesapeake Bay Spreadsheet is available on the Department's Nutrient

Trading web site at www.dep.pa.gov/nutrient_trading. Verification forms and instructions are found on the Credit Trading Process page of the Department's Nutrient Trading web site.

Written Comments

The Department will accept written comments on these proposed pollutant reduction activities for 30 days. The Department must receive comments on this notice for credit certification no later than Monday, October 7, 2019. Commentators can view submitted materials and are encouraged to submit comments using the Department's online eComment tool at www.ahs.dep.pa.gov/eComment or by e-mail to ecomment@pa.gov. Written comments can be mailed to the Policy Office, Department of Environmental Protection, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063. Use "Mass Certification" as the subject line in written communication.

For further information about this action or the Nutrient Credit Trading Program, contact the Division of Operations, Bureau of Clean Water, Department of Environmental Protection, P.O. Box 8774, Harrisburg, PA 17105-8774, RA-EPPANutrientTrad@pa.gov, (717) 787-6744 or visit the Department's Nutrient Trading web site at www.dep.pa.gov/nutrient_trading.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 19-1370. Filed for public inspection September 6, 2019, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Radiation Protection Advisory Committee Meeting Location Change

The October 10, 2019, meeting of the Radiation Protection Advisory Committee (Committee) has changed its location to the 14th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting will begin at 9 a.m.

Questions concerning the October meeting can be directed to John Chipppo, Bureau of Radiation Protection, at jchippo@pa.gov or (717) 783-9730. The agenda and meeting materials will be available 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 "Radiation Advisory Committees," then "Radiation Protection Advisory Committee").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 787-3720 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 19-1371. Filed for public inspection September 6, 2019, 9:00 a.m.]

DEPARTMENT OF HEALTH

Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.20(d) and (f) (relating to resident bedrooms):

UPMC Magee-Women's Hospital Transitional Care Unit
300 Halkett Street
Pittsburgh, PA 15213
FAC ID # 65030201

This request is on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing-impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

RACHEL L. LEVINE, MD,
Secretary

[Pa.B. Doc. No. 19-1372. Filed for public inspection September 6, 2019, 9:00 a.m.]

DEPARTMENT OF HEALTH

Title V Maternal and Child Health Services Block Grant: Health Need Prioritization Public Meetings

Every 5 years, the Commonwealth's Title V Maternal and Child Health Services Block Grant requires the Bureau of Family Health (Bureau) to conduct a comprehensive assessment of the needs of women, infants, children, adolescents and children and youth with special health care needs in this Commonwealth. After reviewing available health data and seeking input from families and providers, the Bureau will identify priorities for State and local Title V programs, staff and grantees for the next 5 years.

The Bureau will hold public meetings for providers and families across this Commonwealth to share input on the potential priorities that will guide the issues the Commonwealth's Title V programs will address over the next 5 years. Those public meetings will be held at the following places and times:

- Tuesday, September 10, 2019, at the Carnegie Library-Homewood Branch Auditorium, 7107 Hamilton Avenue, Pittsburgh, PA 15208 at 4 p.m.;

- Wednesday, September 11, 2019, at the Hampton Inn Erie—South, 8050 Old Oliver Road, Erie, PA 16509 at 4 p.m.;

- Thursday, September 26, 2019, at the Lackawanna County Children's Library Community Room, 520 Vine Street, Scranton, PA 18509 at 4 p.m.;

- Wednesday, October 2, 2019, at the Holiday Inn, 100 Pine Street, Williamsport, PA 17701 at 4 p.m.; and

- Tuesday, October 8, 2019, at the Montgomery-County Norristown Public Library, Community Room, 1001 Powell Street, Norristown, PA 19401 at 4 p.m.

For additional information, or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so, contact the Bureau of Family Health, 7th Floor East, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (717) 346-3000, or for speech and/or hearing impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

These meetings are subject to cancellation without notice.

RACHEL L. LEVINE, MD,
Secretary

[Pa.B. Doc. No. 19-1373. Filed for public inspection September 6, 2019, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Availability of Amendment to the Office of Developmental Programs' Adult Autism Waiver

The Department of Human Services (Department) is making available for public review and comment the Office of Developmental Programs' (ODP) proposed amendment to the Adult Autism Waiver.

Background

Whenever substantive changes are made to an approved waiver, the Department must submit an amendment to the Centers for Medicare & Medicaid Services (CMS) for approval. The Department proposes to amend the Adult Autism Waiver effective October 1, 2019, as follows:

- Add a new service, non-medical Transportation.
- Revise provider qualifications for all employment-related services to require certification by July 1, 2020.
- Revise the frequency of verification of provider qualifications from every 30 months to every 36 months.
- Require providers to execute an ODP Waiver Provider Agreement to replace the current Adult Autism Waiver Provider Supplemental Agreement.
- Add reserved capacity for participants to re-enroll in the Adult Autism Waiver after a stay in a hospital or rehabilitative care lasting more than 30 days.
- Revise performance measures and terminology to align with the other ODP waivers.
- Transition from an interest list to a waiting list based upon level of care determinations conducted by the Administrative Entities.

- Revise the service definitions of employment-related services to add a provision for accessing those services during a period when the Office of Vocational Rehabilitation is operating under a closed order of selection.

Fiscal Impact

It is anticipated that there will be an additional cost of \$0.230 million (\$0.110 million in State funds) to the Commonwealth in Fiscal Year (FY) 2019-2020 and an annualized cost of \$0.307 million (\$0.147 million in State funds) in FY 2020-2021 and subsequent years for the Autism Services and Intervention appropriation.

Public Comment

The proposed amendment to the Adult Autism Waiver, effective October 1, 2019, is available at <http://dhs.pa.gov/citizens/autismservices/adultautismwaiver/aawamendment/index.htm>.

Interested persons are invited to submit written comments regarding the proposed waiver amendment. Comments should be addressed to Laura Cipriani, Department of Human Services, Office of Developmental Programs, 625 Forster Street, Room 510, Harrisburg, PA 17120. Comments may also be submitted to the Department at RA-odpcomment@pa.gov using subject header "AAW Amendment."

Comments received within 30 days of publication of this notice will be reviewed and considered for revisions to the proposed waiver amendment.

The Department will also hold a webinar to receive comments on the proposed waiver amendment. The date, time and link for registration to attend this webinar is as follows:

September 16, 2019
10 a.m. to 12 p.m.

The following link must be used to register for the webinar: <https://attendee.gotowebinar.com/register/5591990095297686285>. Participants are able to participate in the webinar by phone, but will need a computer to provide comments during the webinar. To assist the Department in accurately capturing comments provided during the webinar, individuals are asked to submit a written copy of their comments by e-mail or mail to the previously listed address.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service by dialing 711 or by using one of the toll free numbers: (800) 654-5984 (TDD users), (800) 654-5988 (voice users), (844) 308-9292 (Speech-to-Speech) or (844) 308-9291 (Spanish).

Copies of this notice and waiver amendment may be obtained by contacting the Bureau of Autism Services, P.O. Box 2675, Harrisburg, PA 17105, RA-odpautismwaiver@pa.gov.

TERESA D. MILLER,
Secretary

Fiscal Note: 14-NOT-1355. (1) General Fund; (2) Implementing Year 2019-20 is \$110,000; (3) 1st Succeeding Year 2020-21 through 5th Succeeding Year 2024-25 are \$147,000; (4) 2018-19 Program—\$30,842,000; 2017-18 Program—\$27,669,000; 2016-17 Program—\$22,496,000; (7) Autism Intervention and Services; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 19-1374. Filed for public inspection September 6, 2019, 9:00 a.m.]

ENVIRONMENTAL QUALITY BOARD

Meeting Cancellation

The September 17, 2019, meeting of the Environmental Quality Board (Board) is cancelled. The next regular meeting of the Board is tentatively scheduled for Tuesday, October 15, 2019, at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning the Board's next scheduled meeting may be directed to Laura Edinger at ledinger@pa.gov or (717) 783-8727. The agenda and meeting materials for all Board meetings are available through the Public Participation tab on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Environmental Quality Board").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Laura Edinger at (717) 783-8727 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,
Chairperson

[Pa.B. Doc. No. 19-1375. Filed for public inspection September 6, 2019, 9:00 a.m.]

FISH AND BOAT COMMISSION

Proposed Special Regulation Designations

The Fish and Boat Commission (Commission) has approved guidelines with regard to encouraging public participation on possible changes to the designation of streams, stream sections or lakes for special regulation programs. Under 58 Pa. Code Chapter 65 (relating to special fishing regulations), the Commission designates or redesignates certain streams, stream sections and lakes as being subject to special fishing regulations. These designations and redesignations are effective after Commission approval when they are posted at the site and a notice is published in the *Pennsylvania Bulletin*. Under the Commission's guidelines, a notice concerning the proposed designation or redesignation of a stream, stream section or lake under special regulations ordinarily will be published in the *Pennsylvania Bulletin* before the matter is reviewed by the Commissioners.

At the next Commission meeting on October 21 and 22, 2019, the Commission will consider taking the following actions with respect to waters subject to special fishing regulations under 58 Pa. Code Chapter 65, effective January 1, 2020.

58 Pa. Code § 65.6. Delayed harvest artificial lures only areas

The Commission will consider extending the limits to nine stream sections managed under the delayed harvest artificial lures only areas regulation:

<i>County</i>	<i>Water</i>
Cambria	Chest Creek, Section 03, Ridge Avenue downstream to 0.5-mile downstream from Thomas Mill Road
Potter	First Fork Sinnemahoning Creek, Section 04, Route 872 Bridge at Schoolhouse Run downstream to Berge Run
McKean	Kinzua Creek, Section 04, Guffey Road Bridge (Rocky Road) downstream to Westline Road Bridge
Lycoming	Little Pine Creek, Section 04, Little Pine Creek Road Bridge located 1.0-mile upstream from Otter Run downstream to the inflow of Little Pine Lake
Lycoming and Sullivan	Loyalsock Creek, Section 05, 1.0-mile upstream from the Sullivan County line downstream to an Unnamed Tributary located 0.9-mile upstream from Plunketts Creek
Lycoming	Lycoming Creek, Section 04, 0.5-mile upstream from Daugherty Run downstream to 0.1-mile downstream from the SR 0015 Bridge (Old Route 15) near Haleeka
Monroe	McMichael Creek, Section 05, 0.08-mile downstream from the Turkey Hill Road (T-416) ridge downstream to Glenbrook Road (SR 2004) Bridge
Snyder	Middle Creek, Section 04, 0.3-mile upstream from Pine Swamp Road downstream to Covered Bridge Road
Tioga	Pine Creek, Section 06, Marsh Creek downstream to Bear Run

At this time, the Commission is soliciting public input concerning the previously listed designations. Persons with comments, objections or suggestions concerning the designations are invited to submit comments in writing to the Executive Director, Fish and Boat Commission, P.O.

Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically by completing the form at www.fishandboat.com/regcomments. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

TIMOTHY D. SCHAEFFER,
Executive Director

[Pa.B. Doc. No. 19-1376. Filed for public inspection September 6, 2019, 9:00 a.m.]

FISH AND BOAT COMMISSION

Triploid Grass Carp Permit Application

Under 58 Pa. Code § 71.7 (relating to triploid grass carp), the Fish and Boat Commission (Commission) may issue permits to stock triploid grass carp in Commonwealth waters. Triploid grass carp are sterile fish that may, in appropriate circumstances, help control aquatic vegetation. The Commission has determined consistent with 58 Pa. Code § 71.7(e)(3) to seek public input with respect to any proposed stockings of triploid grass carp in waters having a surface area of more than 5 acres.

Interested persons are invited to submit written comments, objections or suggestions about the notice to the Executive Director, Fish and Boat Commission, P.O. Box 67000, Harrisburg, PA 17106-7000, within 10 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted. Comments also may be submitted electronically by completing the form at www.fishandboat.com/regcomments. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt.

The following applications to stock triploid grass carp in waters having a surface area of greater than 5 acres are currently undergoing staff review:

<i>Applicant</i>	<i>Water</i>	<i>Location of Water</i>	<i>Description of Water</i>	<i>Nature of Vegetation to be Controlled</i>
Conashaugh Lakes Community Association	Conashaugh Lake	Dingman Township Pike County	20.9-acre lake tributary to Rattlesnake Creek tributary to the Delaware River	<i>Common Elodea, Bladderwort, Naiad, Tape Grass, White Waterlily, Watershield</i>
Erik Hansen Sue Flynn	Holcomb Pond	Leroy Township Bradford County	17.5-acre lake tributary to an Unnamed Tributary to Towanda Creek	<i>Utricularia spp., Potamogeton spp., Nymphaea spp., Brasenia spp.</i>
Ernie Weaver	Miller Pond (Hidden Valley Lake)	Ridgebury Township Bradford County	30-acre lake tributary to an Unnamed Tributary to Bentley Creek	<i>Utricularia spp., Nymphaea spp., Brasenia spp.</i>

TIMOTHY D. SCHAEFFER,
Executive Director

[Pa.B. Doc. No. 19-1377. Filed for public inspection September 6, 2019, 9:00 a.m.]

INSURANCE DEPARTMENT

Agency Contract Termination of The Bagnall Shaw Agency, LLC under Act 143; Erie Insurance; Doc. No. AT19-08-005

The Bagnall Shaw Agency, LLC has requested review of an agency contract termination by Erie Insurance under sections 1—6 of The Insurance Department Act of 1921 (40 P.S. §§ 241—246).

A pre-review telephone conference initiated by this office is scheduled for September 26, 2019, at 10 a.m. Each party shall provide the Hearings Administrator a telephone number to be used for the telephone conference on or before September 24, 2019. A date for a review shall be determined, if necessary, at the pre-review conference.

Protests, petitions to intervene or notices of intervention, if any, must be filed on or before September 12, 2019, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to protests, petitions to intervene or notices of intervention, if any, shall be filed on or before September 24, 2019.

Persons with a disability who wish to attend the previously-referenced administrative proceedings and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Joseph Korman, (717) 787-4429 or jkorman@pa.gov.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 19-1378. Filed for public inspection September 6, 2019, 9:00 a.m.]

INSURANCE DEPARTMENT

The State Life Insurance Company; Rate Increase Filing for Several Individual LTC Forms (SERFF # LFCR-132049630)

The State Life Insurance Company is requesting approval to increase the premium 19.9% on 249 policyholders of forms S-6000-P-PA, S-6001-P-PA, S-6002-P-PA, S-6003-P-PA, S-8000-P-PA, S-8001-P-PA, S-8002-P-PA and S-8003-P-PA.

Unless formal administrative action is taken prior to November 21, 2019, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov (hover the cursor over the "Consumers" tab, then select "Long Term Care Rate Filings").

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA

17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 19-1379. Filed for public inspection September 6, 2019, 9:00 a.m.]

PATIENT SAFETY AUTHORITY

Public Meeting

The Patient Safety Authority (Authority), established by section 303 of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P.S. § 1303.303), announces a meeting of the Authority's Board to be held at the Conference Center, Central Penn College, 600 Valley Road, Summerdale, PA 17093 at 10 a.m. on Monday, September 23, 2019.

Individuals with questions regarding this meeting, which is open to the public, should contact the Authority at (717) 346-0469.

REGINA M. HOFFMAN, MBA, BSN, RN, CPPS,
Executive Director

[Pa.B. Doc. No. 19-1380. Filed for public inspection September 6, 2019, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition of PPL Electric Utilities Corporation; Prehearing Conference

P-2019-3012353. PPL Electric Utilities Corporation. Petition of PPL Electric Utilities Corporation for a finding that the building to shelter control equipment at the proposed Glen Brook 230/69 kV Substation in Salem Township, Luzerne County is reasonably necessary for the convenience or welfare of the public and, therefore, exempt from any local zoning ordinance.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before September 25, 2019. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the applicant. The documents filed in support of the petition are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, at the Pennsylvania Public Utility Commission's (Commission) web site at www.puc.pa.gov and at the applicant's business address.

Applicant: PPL Electric Utilities Corporation

Through and By Counsel: Jessica R. Rodgers, Esquire, Post & Schell, PC, 17 North Second Street, 12th Floor, Harrisburg, PA 17101-1601

Call-In Telephone Prehearing Conference

An initial call-in telephonic prehearing conference on the previously-captioned case will be held as follows:

<i>Date:</i>	Friday, September 27, 2019
<i>Time:</i>	10 a.m.
<i>Presiding:</i>	Administrative Law Judge Benjamin Myers 400 North Street 2nd Floor West Harrisburg, PA 17120 (717) 787-1399 Fax: (717) 787-0481

At the previously listed date and time, individuals must call into the hearing. If individuals fail to do so, their case will be dismissed. Individuals will not be called by the Administrative Law Judge.

To participate in the hearing, individuals must:

- Dial the following toll-free number.
- Enter the following PIN number when instructed to do so.
- Speak the individual's name when prompted.

The telephone system will connect individuals to the hearing.

Toll-free bridge number: (877) 779-2595
PIN number: 34897759

Individuals with a disability who wish to attend the hearing should contact the Commission to make arrangements for their special needs. If appropriate, the Commission may be able to provide individuals with a telephonic hearing instead of an in-person hearing. Call the scheduling office at the Commission at least 5 business days prior to the hearing to submit a request.

For individuals who require an interpreter to participate in the hearings, the Commission will make every reasonable effort to have an interpreter present. Call the scheduling office at the Commission at least 10 business days prior to the hearing to submit a request.

- Scheduling Office: (717) 787-1399
- Pennsylvania AT&T Relay Service number for persons who are deaf or hearing-impaired: (800) 654-5988

The Commission offers a free eFiling Subscription Service, which allows users to automatically receive an e-mail notification whenever a document is added, removed or changed on the Commission web site regarding a specific case. Instructions for subscribing to this service are on the Commission's web site at http://www.puc.pa.gov/Documentation/eFiling_Subscriptions.pdf.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 19-1381. Filed for public inspection September 6, 2019, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it ap-

plies to the temporary authority application, the permanent authority application, or both. Protests may only be filed if there is evidence that the applicant lacks fitness. Protests based on endangering or impairing operations of an existing carrier will not be honored. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the applicant by September 23, 2019. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Applications of the following for approval to *begin operating as common carriers for transportation of persons as described under each application.*

A-2019-3011888. Eli-Way, LLC (5751 Stag Drive, Emmaus, Lehigh County, PA 18049) persons, in paratransit service, from points in Lehigh County, to points in the Counties of Berks, Bucks, Carbon, Columbia, Montgomery, Northampton and Schuylkill, and return.

A-2019-3012078. Wadalli Sisters Transportation, LLC (10 Shelly Circle, Lewisburg, Union County, PA 17837) persons, in paratransit service, from points in the City of Chester, Chester County, the City of Harrisburg, Dauphin County, the City of Lewisburg, Union County, and the City of Philadelphia, to State correctional facilities in Pennsylvania, and return.

A-2019-3012300. Linda D. Lewis (181 Krantz Mill Road, New Providence, Lancaster County, PA 17560) persons, in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Lancaster County, to points in Pennsylvania, and return.

Application of the following for approval of the *beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under the application.*

A-2019-3012374. Birdish, Inc., d/b/a Two Men and a Truck of Princeton (41 Twosome Drive, Suite # 7, Moorestown, NJ 08057) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in Pennsylvania.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 19-1382. Filed for public inspection September 6, 2019, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Formal Complaints

Formal complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Answers are due September 23, 2019, and must be made with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

**Pennsylvania Public Utility Commission; Bureau of
Investigation and Enforcement v. William D.
Jenkins, t/a William Jenkins Trucking;
Docket No. C-2019-3011500**

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to William D. Jenkins, t/a William Jenkins Trucking, (respondent) is under suspension effective July 02, 2019 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at P.O. Box 351, Youngsville, PA 16371.

3. That respondent was issued a Certificate of Public Convenience by this Commission on January 23, 2017, at A-8919455.

4. That respondent has failed to maintain evidence of Liability and Cargo insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500.00 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500.00 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8919455 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
400 North Street
Harrisburg, PA 17120

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the

statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 7/23/2019

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
400 North Street
Harrisburg, PA 17120

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility
Services
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

**Pennsylvania Public Utility Commission; Bureau of
Investigation and Enforcement v. Barton
Enterprises, LLC; Docket No. C-2019-3011264**

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Barton Enterprises, LLC, (respondent) is under suspension effective June 20, 2019 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 2521 Yellow Springs Road, Malvern, PA 19355.
3. That respondent was issued a Certificate of Public Convenience by this Commission on July 17, 2006, at A-00121563.
4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500.00 and cancellation of the Certificate of Public Convenience.
5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500.00 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-00121563 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the

illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
400 North Street
Harrisburg, PA 17120

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 7/2/2019

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

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Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
400 North Street
Harrisburg, PA 17120

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

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Services
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of

Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

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ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 19-1383. Filed for public inspection September 6, 2019, 9:00 a.m.]

