

## AMENDMENTS TO HOUSE BILL NO. 1401

Sponsor: REPRESENTATIVE MENTZER

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1 Amend Bill, page 35, by inserting between lines 1 and 2

2 Section 2403.1. Permit approval.

3 (a) Operations.--Notwithstanding any other provision of law,  
4 a permit application to undertake an activity related to  
5 unconventional oil and gas development which has not been denied  
6 by the department within the applicable time period established  
7 for review shall be deemed approved. If the review period for  
8 the permit has been extended for cause, the department shall  
9 provide a refund of the fee to the applicant. If the department  
10 has notified the person of deficiencies with the application,  
11 the period of time from the date of the receipt of the  
12 deficiencies to the date of the receipt of the person's response  
13 shall toll the applicable time period established for review.  
14 Only two tolling periods shall be authorized per permit  
15 application.

16 (b) Construction.--Nothing within this section shall be  
17 construed to relieve a person from complying with any law  
18 pertaining to the activity for which the permit is sought.

19 (c) Definitions.--As used in this section, the following  
20 words and phrases shall have the meanings given to them in this  
21 subsection unless the context clearly indicates otherwise:

22 "Applicable time period established for review." As follows:

23 (1) For a well permit required under 58 Pa.C.S. §  
24 3211(a) (relating to well permits), within:

25 (i) forty-five calendar days of submission; or

26 (ii) sixty calendar days of submission if the review  
27 period has been extended for cause.

28 (2) For a general air quality permit, within 30 calendar  
29 days of submission.

30 (3) For an earth disturbance permit as required under 25  
31 Pa. Code § 102.5 (relating to permit requirements), within:

32 (i) fifty-three business days of submission; or

33 (ii) twenty-four business days of submission for an  
34 expedited application.