
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 167 Session of
2015

INTRODUCED BY GROVE, MURT, BARRAR, BLOOM AND GINGRICH,
JANUARY 23, 2015

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,
JANUARY 23, 2015

AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled
2 "An act providing for and reorganizing the conduct of the
3 executive and administrative work of the Commonwealth by the
4 Executive Department thereof and the administrative
5 departments, boards, commissions, and officers thereof,
6 including the boards of trustees of State Normal Schools, or
7 Teachers Colleges; abolishing, creating, reorganizing or
8 authorizing the reorganization of certain administrative
9 departments, boards, and commissions; defining the powers and
10 duties of the Governor and other executive and administrative
11 officers, and of the several administrative departments,
12 boards, commissions, and officers; fixing the salaries of the
13 Governor, Lieutenant Governor, and certain other executive
14 and administrative officers; providing for the appointment of
15 certain administrative officers, and of all deputies and
16 other assistants and employes in certain departments, boards,
17 and commissions; and prescribing the manner in which the
18 number and compensation of the deputies and all other
19 assistants and employes of certain departments, boards and
20 commissions shall be determined," providing for effect of
21 permit issued by Department of Environmental Protection.

22 The General Assembly of the Commonwealth of Pennsylvania
23 hereby enacts as follows:

24 Section 1. The act of April 9, 1929 (P.L.177, No.175), known
25 as The Administrative Code of 1929, is amended by adding a
26 section to read:

27 Section 1938-A. Effect of Permit Issued by the Department of

1 Environmental Protection.--(a) In order to maintain consistency
2 and uniformity of the regulation of standards for natural
3 resources and environmental protection throughout this
4 Commonwealth, when a permit is required from the department in
5 order to conduct a regulated activity within this Commonwealth
6 and the department issues the permit, the provisions of the
7 permit shall supersede all local ordinances and enactments
8 purporting to establish standards for natural resources and
9 environmental protection which are in conflict with the
10 department's regulatory oversight of an activity or the laws and
11 regulations of the Commonwealth.

12 (b) This section preempts the regulation of all local
13 ordinances and enactments which set standards for natural
14 resource and environmental protection in activities for which
15 permits have been issued or are issued by the department.

16 Section 2. This act shall take effect in 60 days.