

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 286 Session of 2023

INTRODUCED BY YAW AND HUTCHINSON, JANUARY 31, 2023

REFERRED TO ENVIRONMENTAL RESOURCES AND ENERGY, JANUARY 31, 2023

AN ACT

1 Amending the act of June 22, 1937 (P.L.1987, No.394), entitled  
 2 "An act to preserve and improve the purity of the waters of  
 3 the Commonwealth for the protection of public health, animal  
 4 and aquatic life, and for industrial consumption, and  
 5 recreation; empowering and directing the creation of  
 6 indebtedness or the issuing of non-debt revenue bonds by  
 7 political subdivisions to provide works to abate pollution;  
 8 providing protection of water supply and water quality;  
 9 providing for the jurisdiction of courts in the enforcement  
 10 thereof; providing additional remedies for abating pollution  
 11 of waters; imposing certain penalties; repealing certain  
 12 acts; regulating discharges of sewage and industrial wastes;  
 13 regulating the operation of mines and regulating the impact  
 14 of mining upon water quality, supply and quantity; placing  
 15 responsibilities upon landowners and land occupiers and to  
 16 maintain primary jurisdiction over surface coal mining in  
 17 Pennsylvania," in other pollutions and potential pollution,  
 18 providing for notice of discharge endangering public health  
 19 or environment.

20 The General Assembly of the Commonwealth of Pennsylvania  
 21 hereby enacts as follows:

22 Section 1. The act of June 22, 1937 (P.L.1987, No.394),  
 23 known as The Clean Streams Law, is amended by adding a section  
 24 to read:

25 Section 404. Notice of Discharge Endangering Public Health  
 26 or Environment.--(a) A person that spills, discharges or  
 27 releases a substance into the waters of this Commonwealth, or on

1 a location from which the substance is likely to enter the  
2 waters of this Commonwealth, taking into account any control and  
3 remedial measures, shall notify the department if the spill,  
4 discharge or release is not authorized by a permit from the  
5 department and is likely to render the receiving waters harmful  
6 to public health or the environment as determined by reportable  
7 quantities or other readily ascertainable standards adopted by  
8 regulation under subsection (c).

9 (b) No later than sixty days after the effective date of  
10 this section, the Environmental Quality Board shall publish for  
11 public comment proposed regulations establishing reportable  
12 quantities or other readily ascertainable standards by which a  
13 person described in subsection (a) may determine whether a  
14 spill, discharge or release is likely to render the receiving  
15 waters harmful to public health or the environment.

16 (c) No later than one hundred eighty days after the  
17 effective date of this section, the Environmental Quality Board  
18 shall promulgate final regulations establishing reportable  
19 quantities or other readily ascertainable standards by which a  
20 person described in subsection (a) may determine whether a  
21 spill, discharge or release is likely to render the receiving  
22 waters harmful to public health or the environment.

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