

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE BILL

## No. 2406

Session of  
1976

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INTRODUCED BY SHELHAMER, YAHNER, R. W. WILT, WEIDNER, TURNER,  
KLINGAMAN, W. W. FOSTER, FRYER, DREIBELBIS, COLE AND SHUMAN,  
MAY 25, 1976

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AS REPORTED FROM COMMITTEE ON CONSERVATION, HOUSE OF  
REPRESENTATIVES, AS AMENDED, JUNE 1, 1976

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## AN ACT

1 Amending the act of January 8, 1960 (1959 P.L.2119, No.787),  
2 entitled, as amended, "An act to provide for the better  
3 protection of the health, general welfare and property of the  
4 people of the Commonwealth by the control, abatement,  
5 reduction and prevention of the pollution of the air by  
6 smokes, dusts, fumes, gases, odors, mists, vapors, pollens  
7 and similar matter, or any combination thereof; imposing  
8 certain powers and duties on the Department of Environmental  
9 Resources, the Environmental Quality Board and the  
10 Environmental Hearing Board; establishing procedures for the  
11 protection of health and public safety during emergency  
12 conditions; creating a stationary air contamination source  
13 permit system; providing additional remedies for abating air  
14 pollution; reserving powers to local political subdivisions,  
15 and defining the relationship between this act and the  
16 ordinances, resolutions and regulations of counties, cities,  
17 boroughs, towns and townships; imposing penalties for  
18 violation of this act; and providing for the power to enjoin  
19 violations of this act; and conferring upon persons aggrieved  
20 certain rights and remedies," exempting the production of  
21 agricultural commodities in their unmanufactured state from  
22 the provisions of the act.

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

25 Section 1. The act of January 8, 1960 (1959 P.L.2119,  
26 No.787), known as the "Air Pollution Control Act," is amended by  
27 adding a section to read:

1     Section 4.1. Agricultural Regulations Prohibited.--The  
2     department shall not have the power nor the authority to adopt  
3     rules and regulations relating to air contaminants and air  
4     pollution arising from the production of agricultural  
5     commodities in their unmanufactured state BUT SHALL NOT INCLUDE     <—  
6     THE USE OF MATERIALS PRODUCED OR MANUFACTURED OFF THE PREMISES  
7     OF THE FARM OPERATION.

8     Section 2. This act shall take effect immediately.