

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2406

Session of
1976

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

SENATOR STAPLETON, AGRICULTURE, IN SENATE, AS AMENDED,
SEPTEMBER 20, 1976

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

1 adding a section to read:

2 Section 4.1. Agricultural Regulations Prohibited.--The
3 ~~department~~ ENVIRONMENTAL QUALITY BOARD shall not have the power <—
4 nor the authority to adopt rules and regulations relating to air
5 contaminants and air pollution arising from the production of
6 agricultural commodities in their unmanufactured state but shall
7 not include the use of materials produced or manufactured off
8 the premises of the farm operation.

9 Section 2. This act shall take effect immediately.