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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE RESOLUTION

No. 132 Session of  
2015

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INTRODUCED BY YAW, MAY 13, 2015

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INTRODUCED AND ADOPTED, MAY 13, 2015

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A RESOLUTION

1 Commemorating the 20th anniversary of the passage and signing  
2 into law of Acts 2, 3 and 4 of 1995, creating Pennsylvania's  
3 Land Recycling "Brownfields" Program on May 19, 1995.

4 WHEREAS, Pennsylvania had thousands of abandoned, neglected  
5 and unwanted industrial, manufacturing and commercial properties  
6 across this Commonwealth with real and unknown environmental and  
7 public health hazards that were not being cleaned up and made  
8 safe; and

9 WHEREAS, Private individuals, local governments, economic  
10 development agencies and commercial landowners faced with the  
11 challenge of using these sites for valuable economic purposes,  
12 eliminating these hazards and promoting the productive reuse of  
13 these properties found that existing State laws and regulations  
14 did not set consistent, uniform environmental cleanup standards,  
15 and did not offer a clear process for reviewing and approving  
16 cleanup plans; and

17 WHEREAS, Banks, other financial institutions and economic  
18 development agencies were reluctant and often did not even  
19 consider providing funding for the voluntary environmental

1 cleanup and reuse of industrial and manufacturing sites because  
2 of the lack of clear standards and environmental liability  
3 concerns; and

4 WHEREAS, The lack of a voluntary cleanup and reuse program  
5 resulted in an eroding tax base and a loss of jobs and economic  
6 opportunity in cities and communities across this Commonwealth;  
7 and

8 WHEREAS, Farmland and open space was lost as development  
9 pushed into greenfield areas, rather than having growing  
10 businesses reuse existing commercial properties in already  
11 developed areas with the infrastructure needed to support  
12 commercial reuse; and

13 WHEREAS, The Senate Environmental Resources and Energy  
14 Committee saw action was needed to attract private investment to  
15 voluntarily clean up these environmental hazards and initiated a  
16 consensus building process on May 22, 1992, with the  
17 introduction of Senate Bill 1734, with eight sponsors; and

18 WHEREAS, In the next session on April 22, 1993, an improved  
19 draft, Senate Bill 972, was introduced with 46 sponsors, and the  
20 consensus building continued utilizing both the Senate  
21 Environmental Resources and Energy and the Community and  
22 Economic Development Committees during a tumultuous period of  
23 time when the majority of the Senate moved from one party to the  
24 other and the committee responsibilities moved from one set of  
25 chairmen to another; and

26 WHEREAS, Despite the political changes in the Senate, the two  
27 committees worked in a bipartisan way, holding eight public  
28 hearings, taking testimony from 84 witnesses and soliciting  
29 input by sending copies of five separate proposals to more than  
30 2,000 interested residents; and

1       WHEREAS, Senate Bill 972 was passed by a vote of 44 to 2 and  
2 sent to the House of Representatives where it was considered in  
3 the House Conservation Committee and reported out of committee  
4 on October 5, 1994, but went no further; and

5       WHEREAS, Senate Bills 1, 11 and 12 were introduced in the  
6 next session on January 17, 1995, and were passed by the Senate  
7 on March 1, 1995, by a vote of 46 to 0, and passed by the House  
8 of Representatives, after amendment, on May 2, 1995, by a vote  
9 of 163 to 35. The House amendments were concurred in by the  
10 Senate on May 3, 1995, by a vote of 50 to 0, after which the  
11 bills were presented to the newly elected Governor, Tom Ridge,  
12 who signed them on May 19, 1995; and

13       WHEREAS, Act 2 of 1995, the Land Recycling and Environmental  
14 Remediation Act, Senate Bill 1, established uniform cleanup  
15 standards, standardized review procedures for cleanup plans, and  
16 released property owners from further cleanup liability once  
17 strict environmental standards were met; and

18       WHEREAS, Act 3 of 1995, the Economic Development Agency,  
19 Fiduciary and Lender Environmental Liability Protection Act,  
20 Senate Bill 11, provided protection from cleanup liability for  
21 banks, economic development and other agencies involved in  
22 promoting the reuse of industrial and commercial properties  
23 through financing; and

24       WHEREAS, Act 4 of 1995, the Industrial Sites Environmental  
25 Assessment Act, Senate Bill 12, provided funding to  
26 municipalities, economic development agencies and similar groups  
27 for environmental site assessments and provided performance-  
28 based remediation loans and grants for cleaning up environmental  
29 and public health hazards; and

30       WHEREAS, Acts 2, 3 and 4 of 1995 created a model for

1 promoting voluntary environmental cleanups used by the Federal  
2 Government, more than 40 other states and other countries and  
3 created a whole new "Brownfields Reuse" industry; and

4 WHEREAS, Setting a clear process and standards for reviewing  
5 and approving cleanup plans and releasing agencies and property  
6 owners of further liability when the cleanup standards are met  
7 prompted hundreds of millions of dollars in private investments  
8 to remediate environmental hazards and put these sites back into  
9 productive use; and

10 WHEREAS, Since enactment of Pennsylvania's Land Recycling  
11 Program, 5,466 commercial and industrial sites in every county  
12 in this Commonwealth have been cleaned up and made safe for  
13 reuse, with another 1,251 sites now moving through the program;  
14 and

15 WHEREAS, Sites reused under the program have resulted in the  
16 creation or retention of tens of thousands of jobs that  
17 otherwise would have been lost or created somewhere else; and

18 WHEREAS, Pennsylvania's Land Recycling Program has been  
19 recognized for its innovation and accomplishment by its peers in  
20 the Federal Government, the State government, environmental  
21 professionals and academic institutions, including the Ford  
22 Foundation and Harvard University with the Innovations in  
23 Government and the Best Innovations in American Government Award  
24 Over the Past 15 Years; the Council of State Governments  
25 Innovations Award; the National Governor's Association Center  
26 for Best Practices; the National Association of Environmental  
27 Professionals National Environmental Excellence Award for  
28 Environmental Management; the American Legislative Exchange  
29 Council Model Legislation Program; and by President George W.  
30 Bush, who signed the national Brownfields legislation into law

1 in Pennsylvania; therefore be it

2       RESOLVED, That the Senate recognize the contribution  
3 Pennsylvania's Land Recycling Program has made over the past 20  
4 years protecting the environment, eliminating health hazards and  
5 building Pennsylvania's economy by creating economic opportunity  
6 where there was none before; and be it further

7       RESOLVED, That the Senate extend its congratulations to the  
8 members of the Senate and the House of Representatives for their  
9 leadership in passing Acts 2, 3 and 4 of 1995, to Governor Tom  
10 Ridge for signing the bills into law and to the leadership and  
11 employees of the Department of Environmental Protection for  
12 making the program work; and be it further

13       RESOLVED, That a copy of this resolution be provided to the  
14 sponsors and cosponsors of Senate Bills 1, 11 and 12 of 1995, to  
15 Governor Tom Ridge and to the Department of Environmental  
16 Protection.