

## AMENDMENTS TO HOUSE BILL NO. 1659

Sponsor: REPRESENTATIVE FRANKEL

Printer's No. 3595

1 Amend Bill, page 1, line 11, by inserting after "Permit"

2 Transparency

3 Amend Bill, page 6, by inserting between lines 14 and 15

4 Section 302.1. Permit and Waiver Transparency Program.

5 (a) Technology requirement.--As trustees of the natural  
6 resources of this Commonwealth as established in section 27 of  
7 Article I of the Constitution of Pennsylvania, the General  
8 Assembly requires the department to use the same technology for  
9 efficient permitting in this act for greater transparency for  
10 the public.

11 (b) Electronic notification.--If the department establishes  
12 a department-wide program under section 304 or another program  
13 for electronic submission, review and approval of permits, the  
14 department shall include a system to electronically notify an  
15 applicant or another person who would like to be notified  
16 electronically of any or all submissions of applications,  
17 deficiencies identified by the department, applicant response  
18 and final review and determination under this act.

19 (c) Notification.--The notification under subsection (b)  
20 shall include:

21 (1) a short summary of the application, deficiency,  
22 response or determination;

23 (2) the use of a waiver, variance or alternative method  
24 that is part of the application or determination;

25 (3) the department office that will review the  
26 application or has identified deficiencies or made a  
27 determination;

28 (4) the official permit review schedule for each  
29 application; and

30 (5) whether or not the specific application requires a  
31 mandatory public hearing or comment period.

32 (d) Rights of individuals.--A person may electronically sign  
33 up with the department to be notified of all of the  
34 applications, deficiencies or determinations or selected  
35 applications, deficiencies and determinations chosen  
36 individually or in some combination by the location of the  
37 project, including county or municipality, the type of permit,

1 waiver, variance or alternative method of compliance or the date  
2 of the submission or the name of the permit applicant. Details  
3 or a list compiled under this subsection is not available under  
4 the act of February 14, 2008 (P.L.6, No.3), known as the Right-  
5 to-Know Law.

6 (e) Redaction.--The department is authorized to redact  
7 information from a notification for the purpose of homeland  
8 security, but must disclose that a specific redaction has  
9 occurred and the department is not authorized to limit any  
10 information related to the official permit review schedule and  
11 whether or not the specific application requires a mandatory  
12 public hearing or comment period.

13 (f) List.--Within 120 days of the effective date of this  
14 section, the department shall post on the Internet a list of  
15 every waiver or variance requested for a well location  
16 restriction and whether or not it was granted for an  
17 unconventional gas well or a gas well permitted in this  
18 Commonwealth within the last four years. Upon request, the  
19 department shall make available a copy of the waiver or variance  
20 application and determination.

21 (g) Definitions.--As used in this section, the following  
22 words and phrases shall have the meanings given to them in this  
23 subsection unless the context clearly indicates otherwise:

24 "Department." The Department of Environmental Protection of  
25 the Commonwealth.

26 "Unconventional gas well." As defined in 58 Pa.C.S. § 2301  
27 (relating to definitions).