

AMENDMENTS TO HOUSE BILL NO. 732

Sponsor: REPRESENTATIVE O'MARA

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1 Amend Bill, page 6, by inserting between lines 17 and 18

2 (4) The company meets the environmental conditions set
3 forth in section 1703.1-L.

4 (5) Confirmation that the company has satisfied the
5 public participation requirements set forth in section
6 1703.2-L.

7 Section 1703.1-L. Environmental conditions.

8 To be eligible to receive a tax credit, a company shall
9 obtain a permit from the Department of Environmental Protection
10 under section 6.1 of the act of January 8, 1960 (1959 P.L.2119,
11 No.787), known as the Air Pollution Control Act, and the
12 department shall ensure that the company has the following
13 environmental safeguards in place:

14 (1) A monitoring plan to ensure that the project
15 facility complies with volatile organic compounds emission
16 limitations and flare destruction efficiency requirements.

17 (2) A continuous emissions monitoring program for all
18 stacks at the project facility.

19 (3) Fenceline monitoring to control fugitive emissions
20 from the project facility in accordance with the lowest
21 achievable emission rate standards under the Clean Air Act
22 (69 Stat. 322, 42 U.S.C. § 7401 et seq.).

23 Section 1703.2-L. Public participation.

24 (a) Public information and comment process.--Prior to
25 seeking any air pollution or water pollution permit for the
26 project facility from the Department of Environmental
27 Protection, a company shall conduct a public information and
28 comment process that includes the following:

29 (1) At least one public meeting in the city, borough or
30 township in which the project facility will be sited.

31 (2) At least one public meeting in the county seat of
32 the county where the project facility will be sited, if the
33 project facility will not be sited in the county seat.

34 (b) Public meetings.--At a public meeting conducted under
35 this section, the company shall:

36 (1) present detailed information concerning the types
37 and quantities of air pollution and water pollution that will
38 be produced by the project facility during operation;

1 (2) solicit oral and written comments from members of
2 the public concerning the project facility; and

3 (3) solicit e-mail addresses from all meeting attendees
4 and commentators for the purpose of providing continuing
5 public notice under this section.

6 (c) Public notice.--The following shall apply:

7 (1) No less than 30 days before the date of a public
8 meeting conducted under this section, notice of the meeting
9 shall be transmitted by the Department of Environmental
10 Protection to the Legislative Reference Bureau for
11 publication in the Pennsylvania Bulletin and published by the
12 company in at least one newspaper of general circulation in
13 the city, borough or township where the project facility will
14 be sited.

15 (2) Following a public meeting, when the company applies
16 for a permit from the Department of Environmental Protection,
17 the company shall provide notice by e-mail to all meeting
18 attendees within three days of the date of application.

19 (d) Public access to permit applications.--No more than
20 three days after submitting a permit application to the
21 Department of Environmental Protection, the company shall make
22 the application available on its publicly accessible Internet
23 website, provide at least one copy to the government of the
24 city, borough or township where the project facility will be
25 sited and provide at least one copy to the public library in the
26 county seat where the project facility will be located.