AN ACT

Amending Title 27 (Environmental Resources) of the Pennsylvania Consolidated Statutes, in water resources planning, providing for departmental control of groundwater matters and for groundwater regulation review.

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

Section 1. Title 27 of the Pennsylvania Consolidated Statutes is amended by adding sections to read:

§ 3105. Departmental control of groundwater matters.

(a) Exclusive authority.--The department shall exercise exclusive authority to:

(1) Regulate groundwater within this Commonwealth.

(2) Impose fees, fines or penalties regarding the use, withdrawal or retention of groundwater within this Commonwealth.
Regulate the impact that drilling may have on groundwater within this Commonwealth.

Mandate the testing of groundwater within this Commonwealth.

(b) Consultation.--The department may consult with other entities in exercising its authority under subsection (a), but the department shall be the sole entity responsible for taking any of the actions specified under subsection (a).

§ 3106. Groundwater regulation review.

(a) Submittal.--At the conclusion of the review process required by the act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act, but before a new regulation or an amendment to an existing regulation which is proposed by the department and which concerns groundwater within this Commonwealth is promulgated, the new regulation or amendment must be submitted to the Environmental Resources and Energy Committee of the Senate and the Environmental Resources and Energy Committee of the House of Representatives for approval. For purposes of this section, the imposition of a new fee, fine or penalty, or an increase in the amount of an existing imposed fee, fine or penalty, concerning groundwater within this Commonwealth shall be considered a new regulation or an amendment to an existing regulation and shall proceed through the process specified in this section.

(b) Review process.--Each committee specified under subsection (a) shall hold a meeting and vote to approve or disapprove the regulation or amendment specified under subsection (a) within 15 legislative session days after receiving the proposed regulation or amendment. The following shall apply:

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(1) If a committee votes to disapprove the regulation or amendment, the committee shall submit written notice of the disapproval to the department. The notice shall state the reason for the disapproval. The department may amend the regulation or amendment after considering the reason for the disapproval and resubmit the amended version for review under this subsection.

(2) If a committee does not vote to approve or disapprove the regulation or amendment within the required time period, the committee shall be deemed to have disapproved the regulation or amendment.

(c) Promulgation.--The regulation or amendment specified under subsection (a) shall not be promulgated until it has received the approval of each committee under the review process specified in this section.

Section 2. This act shall take effect in 60 days.