AN ACT

Amending the act of November 26, 1978 (P.L.1375, No.325), entitled "An act providing for the regulation and safety of dams and reservoirs, water obstructions and encroachments; consolidating and clarifying the programs of the Department of Environmental Resources and Navigation Commission for the Delaware River; establishing penalties and repealing certain acts," further providing for duties of owners.

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

Section 1. Section 13 of the act of November 26, 1978 (P.L.1375, No.325), known as the Dam Safety and Encroachments Act, is amended by adding a subsection to read:

(c) The following shall apply:

(1) The owner of any dam, water obstruction or encroachment seeking to permanently discontinue or abandon operations shall provide notice to an impacted waterfront property in accordance with the following:

(i) The owner shall provide the notice to the
impacted waterfront property six months before commencing
the discontinuing or abandonment procedures.

(ii) The owner shall issue the notice by first class
or express United States mail, postage prepaid, or
courier service, charges prepaid, to the postal address
of the impacted waterfront property. The owner shall be
deemed to have issued the notice in accordance with this
subparagraph upon depositing the notice in the United
States mail or with a courier service for delivery to the
impacted waterfront property.

(iii) The notice shall include all of the following
information:

(A) The details of the discontinuing or
abandonment plans as provided to the department
through the permit process.

(B) The scheduled date when the discontinuing or
abandonment procedures are set to begin.

(C) The owner's contact information.

(2) As used in this subsection, the term "impacted
waterfront property" shall mean a property impacted upstream
or downstream by the yearly operations of an owner of any
dam, water obstruction or encroachment.

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