
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 201

Session of
1983

INTRODUCED BY REIBMAN, FISHER, LLOYD, SINGEL, O'PAKE,
ANDREZESKI, LINCOLN AND LEWIS, FEBRUARY 4, 1983

AS AMENDED ON THIRD CONSIDERATION, OCTOBER 24, 1983

AN ACT

1 Providing for safe drinking water; imposing powers and duties on
2 the Department of Environmental Resources in relation
3 thereto; and appropriating certain ~~Federal~~ funds. <—

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

9 Section 1. Short title.

10 This act shall be known and may be cited as the Pennsylvania
11 Safe Drinking Water Act.

12 Section 2. Legislative findings and declaration.

13 (a) Findings.--The General Assembly finds and declares that:

14 (1) An adequate supply of safe, pure drinking water is
15 essential to the public health, safety and welfare and that
16 such a supply is an important natural resource in the
17 economic development of the Commonwealth.

18 (2) The Federal Safe Drinking Water Act provides a
19 comprehensive framework for regulating the collection,
20 treatment, storage and distribution of potable water.

21 (3) It is in the public interest for the Commonwealth to
22 assume primary enforcement responsibility under the Federal
23 Safe Drinking Water Act.

24 (b) Declaration.--It is the purpose of this act to further
25 the intent of section 27, Article I of the Constitution of
26 Pennsylvania by:

27 (1) Establishing a State program to assure the provision
28 of safe drinking water to the public by establishing drinking
29 water standards and developing a State program to implement
30 and enforce the standards.

1 (2) Developing a process for implementing plans for the
2 provision of safe drinking water in emergencies.

3 (3) Providing public notice of potentially hazardous
4 conditions that may exist in a water supply.

5 Section 3. Definitions.

6 The following words and phrases when used in this act shall
7 have the meanings given to them in this section unless the
8 context clearly indicates otherwise:

9 "Administrator." The Administrator of the United States
10 Environmental Protection Agency or his authorized
11 representative.

12 "Community water system." A public water system which serves
13 at least 15 service connections used by year-round residents or
14 regularly serves at least 25 year-round residents.

15 "Contaminant." Any physical, chemical, biological or
16 radiological substance or matter in water.

17 "Department." The Department of Environmental Resources.

18 "Drinking water standards." Any requirements established by
19 the National Primary Drinking Water Regulations and National
20 Secondary Drinking Water Regulations or any State regulations
21 adopted pursuant to this act.

22 "Environmental Hearing Board." The board established
23 pursuant to section 1921-A of the act of April 9, 1929 (P.L.177,
24 No.175), known as The Administrative Code of 1929, for the
25 purposes set forth in that section.

26 "Environmental Quality Board." The board established
27 pursuant to section 1920-A of The Administrative Code of 1929,
28 for the purposes set forth in that section.

29 "Federal Act." The Federal Safe Drinking Water Act, as
30 amended, (Public Law 93-593, 42 U.S.C. § 300(f) et seq.).

1 "Maximum contaminant level." The maximum permissible level
2 of a contaminant in water which is delivered to any user of a
3 public water system.

4 "National primary drinking water regulations." Primary
5 drinking water regulations promulgated by the administrator
6 pursuant to the Federal act.

7 "National secondary drinking water regulations." Secondary
8 drinking water regulations promulgated by the administrator
9 pursuant to the Federal act.

10 "Noncommunity water system." A public water system that is
11 not a community water system.

12 "Person." Any individual, partnership, association, company,
13 corporation, municipality, municipal authority, political
14 subdivision or any agency of Federal or State government. When
15 used in any clause prescribing and imposing a penalty, or
16 imposing a fine or imprisonment, or both, the term "person"
17 shall not exclude the members of an association and the officers
18 or agents of a corporation.

19 "Public water system." A system for the provision to the
20 public of water for human consumption which has at least 15
21 service connections or regularly serves an average of at least
22 25 individuals daily at least 60 days out of the year. The term
23 includes:

24 (1) Any collection, treatment, storage and distribution
25 facilities under control of the operator of such system and
26 used in connection with such system.

27 (2) Any collection or pretreatment storage facilities
28 not under such control which are used in connection with such
29 a system.

30 (3) A system which provides water for bottling or bulk

1 hauling for human consumption.

2 "Secretary." The Secretary of the Department of
3 Environmental Resources.

4 "State agency." Any State department, board, commission or
5 agency other than the Department of Environmental Resources.

6 "Supplier of water." Any person who owns or operates a
7 public water system.

8 Section 4. Powers and duties of Environmental Quality Board.

9 (a) Board to establish standards, rules and regulations.--

10 The Environmental Quality Board shall have the power and its
11 duty shall be to adopt such rules and regulations of the
12 department, as it deems necessary for the implementation of the
13 provisions of this act. The drinking water standards shall be no
14 less and no more stringent than the National Primary Drinking
15 Water Regulations and shall be no more stringent than the
16 National Secondary Drinking Water Regulations.

17 (b) Applicability of rules and regulations.--Rules and
18 regulations shall apply to each public water system in the
19 Commonwealth except that such rules and regulations shall not
20 apply to a public water system which:

21 (1) consists only of distribution and storage facilities
22 and which does not have any collection and treatment
23 facilities;

24 (2) obtains all of its water from, but is not owned or
25 operated by, a public water system to which such standards,
26 rules and regulations apply;

27 (3) does not sell water to any person; and

28 (4) does not provide water for potable purposes to any
29 carrier which conveys passengers in interstate commerce.

30 (c) Fees to be established.--The Environmental Quality Board

1 shall establish fees for permit applications, laboratory
2 certification and other services. Such fees shall bear a
3 reasonable relationship to the actual cost of providing a
4 service.

5 Section 5. Powers and duties of department.

6 (a) State to assume primary enforcement.--The department
7 shall adopt and implement a public water supply program which
8 includes, but is not limited to, those program elements
9 necessary to assume State primary enforcement responsibility
10 under the Federal act.

11 (b) Department to establish compliance procedures.--The
12 department shall develop and implement procedures as may be
13 necessary and appropriate in order to obtain compliance with
14 this act or the rules and regulations promulgated, or permits
15 issued hereunder. Such procedures shall include, but not be
16 limited to:

17 (1) Monitoring and inspection.

18 (2) Maintaining an inventory of public water systems in
19 the Commonwealth.

20 (3) A systematic program for conducting sanitary surveys
21 of public water systems throughout the Commonwealth.

22 (4) The establishment and maintenance of a program for
23 the certification of laboratories conducting analytical
24 measurements of drinking water contaminants specified in the
25 drinking water standards; and the assurance of the
26 availability to the department of laboratory facilities
27 certified by the administrator and capable of performing
28 analytical measurements of all contaminants specified in the
29 drinking water standards.

30 (5) The establishment and maintenance of a permit

1 program concerning plans and specifications for the design
2 and construction of new or substantially modified public
3 water systems, which program:

4 (i) Requires all such plans and specifications, or
5 either, to be first approved by the department before any
6 work thereunder shall be commenced.

7 (ii) Requires that all such projects are designed to
8 comply with any rules and regulations of the department
9 concerning their construction and operation; and once
10 completed will be capable of compliance with the drinking
11 water standards; and will deliver water with sufficient
12 volume and pressure to the users of such systems.

13 (c) Department to enforce drinking water standards.--The
14 department shall have the power and its duties shall be to issue
15 such orders and initiate such proceedings as may be necessary
16 and appropriate for the enforcement of drinking water standards,
17 any other provision of law notwithstanding. These actions shall
18 include but are not limited to the following:

19 (1) To institute in a court of competent jurisdiction,
20 proceedings against any person to compel compliance with the
21 provisions of this act, or the rules and regulations
22 promulgated or conditions of permit issued hereunder.

23 (2) To initiate criminal prosecutions, including
24 issuance of summary citations by agents of the department.

25 (3) To do any and all things and actions not
26 inconsistent with any provision of this act for the effective
27 enforcement of this act, rules and regulations or permits
28 issued hereunder.

29 (d) Department to keep records.--The department shall keep
30 such records and make such reports as may be required by

1 regulations established by the administrator pursuant to the
2 Federal act.

3 (e) Department may require information from public water
4 systems.--The department may require any public water system to
5 install, use and maintain such monitoring equipment and methods
6 to perform such sampling, to maintain and retain such records of
7 information from monitoring and sampling activities, to submit
8 such reports of monitoring and sampling results and to provide
9 such other information as may be required to determine
10 compliance or noncompliance with this act or with regulations
11 promulgated pursuant to this act.

12 (f) Department has right to enter premises.--The department
13 and its agents shall have the right to enter any premise under
14 the control of the public water system upon presentation of
15 appropriate credentials at any reasonable time in order to
16 determine compliance with this act, and to that end may test,
17 inspect or sample any feature of a public water system and
18 inspect, copy or photograph any monitoring equipment or other
19 feature of a public water system, or records required to be kept
20 under provisions of this act.

21 (g) Search warrants.--An agent or employee of the department
22 may apply for a search warrant to any Commonwealth official
23 authorized to issue a search warrant for the purposes of
24 inspecting or examining any property, building, premise, place,
25 book, record or other physical evidence, of conducting tests or
26 taking samples. Such warrant shall be issued upon probable
27 cause. It shall be sufficient probable cause to show any of the
28 following:

29 (1) the inspection, examination, test or sampling is
30 pursuant to a general administrative plan to determine

1 compliance with this act;

2 (2) the agent or employee has reason to believe that a
3 violation of this act has occurred or may occur; or

4 (3) the agent or employee has been refused access to the
5 property, building, premise, place, book, record or physical
6 evidence, or has been prevented from conducting tests or
7 taking samples.

8 (h) Additional authority of the department.--The department
9 is authorized to:

10 (1) Enter into agreements, contracts, or cooperative
11 arrangements under such terms and conditions as may be deemed
12 appropriate with other State agencies, Federal agencies,
13 interstate compact agencies, political subdivisions or other
14 persons, including agreements with local health departments
15 to delegate one or more of its regulatory functions to
16 inspect, monitor and enforce the act and drinking water
17 standards. The department shall monitor and supervise
18 activities of each local health department conducted pursuant
19 to such an agreement, for consistency with the department's
20 rules, regulations and policies. A local health department
21 may request that the department initiate an agreement or
22 contract with that local health department for the delegation
23 of one or more of the department's regulatory functions under
24 this act.

25 (2) Receive financial and technical assistance from the
26 Federal Government and other public or private agencies
27 appropriate.

28 (3) Establish fiscal controls and accounting procedures.

29 (4) Establish and collect fees for conducting
30 inspections, laboratory analyses and certifications as may be

1 necessary.

2 Section 6. Variances.

3 (a) Department may authorize variances.--The department may
4 authorize variances from the regulations issued to this act
5 under conditions and in such manner as are deemed necessary and
6 desirable; provided, however, that such variances shall be
7 granted only upon finding that:

8 (1) Because of characteristics of the raw water sources
9 which are reasonably available, the public water system is
10 unable to comply with such regulations despite application of
11 the best technology, treatment techniques or other means
12 which the department finds are generally available, taking
13 costs into consideration.

14 (2) The granting of the variance will not result in an
15 unreasonable risk to health.

16 Notwithstanding the foregoing, variances may be granted for no
17 longer than five years, subject to one or more renewals of no
18 longer than five years each. Before a variance is granted, the
19 department shall provide public notice and an opportunity for a
20 public hearing.

21 (b) Department may authorize exemptions.--The department may
22 exempt any public water system from any requirement of an
23 applicable drinking water standard upon finding that:

24 (1) due to compelling factors (which may include
25 economic factors), the public water system is unable to
26 comply with such requirements;

27 (2) the public water system was in operation on the
28 effective date of such requirement or, for a system that was
29 not in operation by that date, only if no reasonable
30 alternative source of drinking water is available to such a

new system; and

(3) the granting of the exemption will not result in an unreasonable risk to health.

Before an exemption to be granted under this subsection may take effect, the department shall provide notice and opportunity for public hearing on the proposed exemption. All exemptions granted with respect to a contaminant level or treatment technique prescribed by the Federal regulation shall expire on dates prescribed in the Federal act.

(c) Board to adopt regulations governing variances and exemptions.--Before the department shall grant any variance or exemption, the board shall first adopt regulations governing the procedures and conditions under which variances or exemptions may be granted.

Section 7. Permits.

(a) Community water systems permits required.--It shall be unlawful for any person to construct, operate or substantially modify a community water system without first having received a written permit from the department.

(b) Noncommunity water systems permits required.--It shall be unlawful for any person to construct, operate or substantially modify a noncommunity water system without first having received a written permit from the department, unless the construction, operation or modification is otherwise authorized under regulations adopted pursuant to this act.

(c) No permit required for waterline extensions.--Nothing in this section shall be construed to mean that a permit shall be required by the department for waterline extensions to a public water system. However, the public water system must notify the department in writing of such extensions. The public water

1 system shall maintain records of waterline extensions and shall
2 make such records available to the department upon request.

3 (d) Applications.--Applications for permits shall be
4 submitted in writing to the department in such form and with
5 such accompanying data as shall be prescribed by the department,
6 and shall include maps, drawing specifications and designers'
7 reports prepared by a professional engineer, registered to
8 practice in Pennsylvania.

9 (e) Permit fee.--Each application shall be accompanied by a
10 permit fee established by regulations under this act.

11 (f) Permits issued under prior law.--Any permits issued
12 prior to the effective date of this act, under the act of April
13 22, 1905 (P.L.260, No.182), entitled "An act to preserve the
14 purity of the waters of the State, for the protection of the
15 public health," and the act of April 9, 1929 (P.L.177, No.175),
16 known as The Administrative Code of 1929, shall be deemed a
17 permit issued pursuant to this act.

18 (g) Conditions may be included in permit.--The department
19 may include in each permit general and specific conditions to
20 insure the proper operation of the public water system and the
21 furnishing of an adequate, safe and potable supply of water.

22 (h) Permit not transferable.--No permit may be transferred
23 without written approval by the department.

24 (i) Permit may be denied, etc.--The department may deny,
25 revoke, suspend, limit or modify a permit due to a finding that
26 the continued operation of a public water system is prejudicial
27 to the public health.

28 Section 8. Inspections and recordkeeping requirements.

29 (a) Department authorized to inspect, test, etc.--The
30 department is authorized to make inspections and conduct tests

1 or sampling, including the examination and copying of books,
2 papers, records and data, pertinent to any matter under
3 investigation in order to determine compliance with this act and
4 for this purpose, the duly authorized agents and employees of
5 the department are authorized at all reasonable times to enter
6 and examine any property, facility, operation or activity.

7 (b) Department authorized to establish recordkeeping
8 requirements.--The department and its agents are authorized to
9 require any supplier of water to establish and maintain such
10 records and make such reports and furnish such information as
11 the department may prescribe as being necessary to demonstrate
12 that the supplier is complying with the requirements of this act
13 and with the terms and conditions of its water supply permit.

14 Section 9. Laboratories.

15 (a) Department to establish standards of performance.--The
16 department shall establish standards of performance, by rule or
17 regulation, for laboratories and laboratory officers which
18 conduct analytical measurements for the purpose of ascertaining
19 compliance by public water systems, including bottled and bulk
20 water operations, with the requirements of this act.

21 (b) Items to be included in standards.--Such standards may
22 include, but are not limited to, equipment, laboratory
23 procedures, standards for analytical methods, quality control,
24 staffing, records, reports and any other matters that may affect
25 the quality and reliability of laboratory performance.

26 (c) Laboratories to be inspected.--The department shall
27 periodically inspect and certify laboratories and laboratory
28 offices that meet the standards established under subsection
29 (a).

30 Section 10. Emergencies and imminent hazards.

1 (a) Plan to be promulgated for emergencies.--The department,
2 in conjunction with the Pennsylvania Emergency Management
3 Agency, shall promulgate with the approval of the board, an
4 adequate plan for the provision of safe drinking water under
5 emergency circumstances. When in the judgment of the department
6 an emergency exists which poses a danger to the public health,
7 the department shall notify the Pennsylvania Emergency
8 Management Agency. The Pennsylvania Emergency Management Agency
9 and the department may take such actions and issue such orders
10 as may be necessary to implement the plan and to assure that
11 safe drinking water is available.

12 (b) Department may order temporary emergency actions.--The
13 department, upon receipt of information that a contaminant which
14 is present in or is likely to enter a public water system may
15 present an imminent and substantial risk to the health of
16 persons, may take or order a public water system to take such
17 temporary emergency actions as it deems necessary in order to
18 protect the health of such persons.

19 (c) Department may implement emergency measures.--The
20 department shall be authorized to implement whatever measures
21 may be necessary and appropriate to notify the public of an
22 emergency or imminent hazard and to assess costs of notification
23 on the responsible water supplier.

24 Section 11. Public notification.

25 (a) General rule.--The permittee of a public water supply
26 system shall, as soon as practicable, give public notification
27 whenever the public water supply system:

28 (1) is not in compliance with the regulations adopted to
29 comply with National Primary Drinking Water Regulations;

30 (2) fails to perform monitoring as required by the

1 drinking water standards;

2 (3) is subject to a variance granted for an inability to
3 meet a maximum contaminant level requirement;

4 (4) is subject to an exemption; or

5 (5) fails to comply with the requirements prescribed by
6 a variance or exemption.

7 (b) Newspaper notice.--Such notice shall be given by the
8 permittee by publication in a newspaper of general circulation
9 within the area served by such water system at least once every
10 three months so long as the violation, variance or exemption
11 continues.

12 (c) Direct notice.--Such notice shall also be given with the
13 water bills or in writing to the customer at least once every
14 three months so long as the violation, variance or exemption
15 continues.

16 (d) Alternate notice.--The department may prescribe
17 alternative notice requirements for violations of other
18 regulations adopted pursuant to this act.

19 Section 12. Public nuisances.

20 (a) Violation constitutes a public nuisance.--Any violation
21 of any provision of this act, any rule or regulation of the
22 department, any order of the department, or any term or
23 condition of any permit, shall constitute a public nuisance. Any
24 person or municipality committing such a violation shall be
25 liable for the costs of abatement of any pollution and any
26 public nuisance caused by such violation. The Environmental
27 Hearing Board and any court of competent jurisdiction is hereby
28 given jurisdiction over actions to recover the costs of such
29 abatement.

30 (b) Abatement of violation.--Any activity or condition

1 declared by this act to be a nuisance or which is otherwise in
2 violation of this act, shall be abatable in the manner provided
3 by law or equity for the abatement of public nuisances. In
4 addition, the department may proceed in equity to abate such
5 nuisances or to restrain or prevent any violation of this act.
6 Section 13. Penalties and remedies.

7 (a) Duty to comply with orders of the department.--It shall
8 be the duty of any person to proceed diligently to comply with
9 any order issued pursuant to section 5. If such person fails to
10 proceed diligently or fails to comply with the order within such
11 time, if any, as may be specified, the person shall be guilty of
12 contempt and shall be punished by the court in an appropriate
13 manner and for this purpose, application may be made by the
14 department to the Commonwealth Court, which court is hereby
15 granted jurisdiction.

16 (b) Civil action to compel compliance.--Any person having an
17 interest which is or may be adversely affected may commence a
18 civil action on his own behalf to compel compliance with this
19 act or any rule, regulation, order or permit issued pursuant to
20 this act:

21 (1) against the department where there is alleged a
22 failure of the department to perform any act which is not
23 discretionary with the department. Jurisdiction for such
24 actions is in Commonwealth Court; or

25 (2) against any other person alleged to be in violation
26 of any provision of this act or any rule, regulation, order
27 or permit issued pursuant to this act. Any other provision of
28 law to the contrary notwithstanding, the courts of common
29 pleas shall have jurisdiction of such actions and venue in
30 such actions shall be as set forth in the Rules of Civil

1 Procedure concerning actions in assumpsit.

2 (c) Summary offense.--Any person who violates any provision
3 of this act, or any rule or regulation of the department, any
4 order of the department, or any condition of any permit of the
5 department issued pursuant to this act, is guilty of a summary
6 offense and, upon conviction, shall be subject to a fine of not
7 less than \$50 nor more than \$5,000, and costs, for each separate
8 offense and, in default of the payment of such fine or costs, a
9 person shall be imprisoned for not less than 30 days nor more
10 than 90 days.

11 (d) Misdemeanor of the third degree.--Any person who
12 willfully or negligently violates any provision of this act, any
13 rule or regulation of the department, any order of the
14 department, or any condition of any permit issued pursuant to
15 the act is guilty of a misdemeanor of the third degree and, upon
16 conviction, shall be subject to a fine of not less than \$1,250
17 nor more than \$12,500 for each separate offense or to
18 imprisonment for a period of not more than one year, or both.

19 (e) Misdemeanor of the second degree.--Any person who, after
20 a conviction of a misdemeanor for any violation within two years
21 as above provided, willfully or negligently violates any
22 provision of this act, any rule or regulation of the department,
23 any order of the department, or any condition of any permit
24 issued pursuant to this act is guilty of a misdemeanor of the
25 second degree and, upon conviction, shall be subject to a fine
26 of not less than \$1,250 nor more than \$25,000 for each offense
27 or to imprisonment for a period of not more than two years, or
28 both.

29 (f) Civil penalties.--In addition to proceeding under any
30 other remedy available at law or in equity for a violation of

1 any provision of this act, any rule or regulation of the
2 department or order of the department or any term or condition
3 of any permit issued by the department, the department may
4 assess a civil penalty upon a person for such violation. Such a
5 penalty may be assessed whether or not the violation was willful
6 or negligent. When the department assesses a civil penalty, it
7 shall inform the person of the amount of the penalty. The person
8 charged with the penalty shall then have 30 days to pay the
9 penalty in full or, if the person wishes to contest either the
10 amount of the penalty or the fact of the violation, the person
11 shall within the 30-day period, file an appeal of the action
12 with the Environmental Hearing Board. Failure to appeal within
13 30 days shall result in a waiver of all legal rights to contest
14 the violation or the amount of the penalty. The maximum civil
15 penalty which may be assessed pursuant to this section is \$5,000
16 per day for each violation. Each violation for each separate day
17 and each violation of any provision of this act, any rule or
18 regulation under this act, any order to the department or any
19 term or condition of the permit shall constitute a separate and
20 distinct offense under this section.

21 (g) Penalties to be concurrent.--The penalties and remedies
22 prescribed by this act shall be deemed concurrent and the
23 existence of or exercise of any remedy shall not prevent the
24 department from exercising any other remedy hereunder, at law or
25 in equity.

26 (h) Separate offenses.--Violations on separate days shall
27 constitute separate offenses for purposes of this act.

28 Section 14. Safe Drinking Water Fund ACCOUNT.

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29 All fines and penalties collected under the penalty
30 provisions of this act and all permit fees shall be paid into

1 the State Treasury ~~in a special fund~~ INTO A SPECIAL RESTRICTED <—
2 RECEIPT ACCOUNT IN THE GENERAL FUND known as the Safe Drinking
3 Water ~~Fund~~ ACCOUNT administered by the department for use in <—
4 protecting the public from the hazards of unsafe drinking water
5 AND WHICH FUNDS ARE HEREBY APPROPRIATED TO THE DEPARTMENT FOR <—
6 SUCH PURPOSES AS ARE AUTHORIZED IN THIS ACT.

7 Section 15. Continuation of existing rules and regulations.

8 All rules and regulations promulgated pursuant to any
9 statutes repealed by this act are continued in full force and
10 effect until superseded and repealed by rules and regulations
11 promulgated pursuant to this act.

12 Section 16. Appropriations of Federal money.

13 The following Federal augmentation amounts, or as much
14 thereof as may be necessary, are hereby specifically
15 appropriated to supplement the sum appropriated from
16 Commonwealth revenues for general government operations of the
17 Department of Environmental Resources:

18 (1) The sum of \$1,100,000 for the Safe Drinking Water
19 Act for implementation of the Safe Drinking Water Program.

20 (2) The sum of \$100,000 for the Safe Drinking Water Act
21 for administration in support of the Safe Drinking Water
22 Program.

23 Section 17. Administration of grants.

24 For purposes of the administration of grants to local health
25 departments for environmental services pursuant to the act of
26 August 24, 1951 (P.L.1304, No.315), known as the Local Health
27 Administration Law, this act shall be deemed to be the successor
28 to the act of April 22, 1905 (P.L.260, No.182), entitled "An act
29 to preserve the purity of the waters of the State, for the
30 protection of the public health." A local health department

1 shall be deemed to have satisfied the minimum program activities
2 for water supply programs if it undertakes those activities with
3 reference to this act and any regulations adopted hereunder. The
4 Department of Health shall amend the regulations relating to
5 standards for environmental health services to reflect the
6 provisions of this act, including the repeals made hereunder. To
7 the extent that public water supply program responsibilities
8 delegated by the department pursuant to an agreement with a
9 local health department exceed those activities required for
10 eligibility for the local health department grant programs, the
11 department is authorized to expend funds appropriated to this
12 program for the purpose of assisting local health departments to
13 carry out those additional activities.

14 Section 18. Repeals.

15 The following acts are repealed:

16 Act of April 22, 1905 (P.L.260, No.182), entitled "An act to
17 preserve the purity of the waters of the State, for the
18 protection of the public health."

19 Act of April 30, 1929 (P.L.897, No.396), entitled "An act
20 regulating the manufacturing, bottling, and selling of certain
21 waters, and requiring permits therefor; prescribing the
22 authority of the Department of Health and of local boards of
23 health and health officers with respect thereto; and providing
24 penalties."

25 Section 19. Effective date.

26 (a) The provisions in section 3, section 4, section 5(a) and
27 (b) and section 16 shall take effect immediately.

28 (b) The remaining provisions of this act, including the
29 repealer provisions of section 18, shall be effective upon
30 publication in the Pennsylvania Bulletin of the notice of the

1 pertinent adopted regulations.