

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2758 Session of
1988

INTRODUCED BY SIRIANNI, PICCOLA AND MANMILLER, NOVEMBER 14, 1988

REFERRED TO COMMITTEE ON CONSERVATION, NOVEMBER 14, 1988

AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled
2 "An act providing for and reorganizing the conduct of the
3 executive and administrative work of the Commonwealth by the
4 Executive Department thereof and the administrative
5 departments, boards, commissions, and officers thereof,
6 including the boards of trustees of State Normal Schools, or
7 Teachers Colleges; abolishing, creating, reorganizing or
8 authorizing the reorganization of certain administrative
9 departments, boards, and commissions; defining the powers and
10 duties of the Governor and other executive and administrative
11 officers, and of the several administrative departments,
12 boards, commissions, and officers; fixing the salaries of the
13 Governor, Lieutenant Governor, and certain other executive
14 and administrative officers; providing for the appointment of
15 certain administrative officers, and of all deputies and
16 other assistants and employes in certain departments, boards,
17 and commissions; and prescribing the manner in which the
18 number and compensation of the deputies and all other
19 assistants and employes of certain departments, boards and
20 commissions shall be determined," imposing additional permit
21 review criteria on the Department of Environmental Resources.

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

24 Section 1. The act of April 9, 1929 (P.L.177, No.175), known
25 as The Administrative Code of 1929, is amended by adding a
26 section to read:

27 Section 1930-A. Additional Permit Review Criteria.--Prior to

1 issuing any new permit or renewing any existing permit, the
2 Department of Environmental Resources shall determine whether
3 the applicant or existing permittee has, within the past five
4 years, violated the act of June 22, 1937 (P.L.1987, No.394),
5 known as "The Clean Streams Law," the act of January 8, 1960
6 (1959 P.L.2119, No.787), known as the "Air Pollution Control
7 Act," the act of November 26, 1978 (P.L.1375, No.325), known as
8 the "Dam Safety and Encroachments Act," the act of July 7, 1980
9 (P.L.380, No.97), known as the "Solid Waste Management Act," or
10 the laws of the Federal Government of any other state relating
11 to environmental protection or the protection of the public
12 health, safety or welfare. If any violation is found, the
13 Department of Environmental Resources shall not issue a permit
14 or renew an existing permit until the applicant or permittee can
15 establish an intent and ability to comply with all the laws of
16 the Commonwealth relating to environmental protection and the
17 protection of public health, safety or welfare.

18 Section 2. The act shall apply to all applications for new
19 permits or the renewal of existing permits which are in
20 possession of the Department of Environmental Resources on or
21 after the effective date of this act.

22 Section 3. This act shall take effect in 60 days.