

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2197 Session of  
2012

INTRODUCED BY CURRY, BRADFORD, CALTAGIRONE, DALEY, DeLUCA,  
HORNAMAN, JOSEPHS, MAHONEY, MUNDY, MURT AND YOUNGBLOOD,  
FEBRUARY 14, 2012

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,  
FEBRUARY 14, 2012

AN ACT

1 Amending the act of January 8, 1960 (1959 P.L.2119, No.787),  
2 entitled, as amended, "An act to provide for the better  
3 protection of the health, general welfare and property of the  
4 people of the Commonwealth by the control, abatement,  
5 reduction and prevention of the pollution of the air by  
6 smokes, dusts, fumes, gases, odors, mists, vapors, pollens  
7 and similar matter, or any combination thereof; imposing  
8 certain powers and duties on the Department of Environmental  
9 Resources, the Environmental Quality Board and the  
10 Environmental Hearing Board; establishing procedures for the  
11 protection of health and public safety during emergency  
12 conditions; creating a stationary air contamination source  
13 permit system; providing additional remedies for abating air  
14 pollution; reserving powers to local political subdivisions,  
15 and defining the relationship between this act and the  
16 ordinances, resolutions and regulations of counties, cities,  
17 boroughs, towns and townships; imposing penalties for  
18 violation of this act; and providing for the power to enjoin  
19 violations of this act; and conferring upon persons aggrieved  
20 certain rights and remedies," further defining "air  
21 pollution."

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

24 Section 1. The definition of "air pollution" in section 3 of  
25 the act of January 8, 1960 (1959 P.L.2119, No.787), known as the  
26 Air Pollution Control Act, amended July 9, 1992 (P.L.460,

1 No.95), is amended to read:

2 Section 3. Definitions.--The following words and phrases,  
3 when used in this act, unless the context clearly indicates  
4 otherwise, shall have the meaning ascribed to them in this  
5 section:

6 \* \* \*

7 "Air pollution." The presence in the outdoor atmosphere of  
8 any form of contaminant, including, but not limited to, the  
9 discharging from stacks, chimneys, openings, buildings,  
10 structures, open fires, vehicles, processes or any other source  
11 of any smoke, soot, fly ash, dust, including dust generated from  
12 oil and gas operations, cinders, dirt, noxious or obnoxious  
13 acids, fumes, oxides, gases, vapors, odors, toxic, hazardous or  
14 radioactive substances, waste or any other matter in such place,  
15 manner or concentration inimical or which may be inimical to the  
16 public health, safety or welfare or which is or may be injurious  
17 to human, plant or animal life or to property or which  
18 unreasonably interferes with the comfortable enjoyment of life  
19 or property.

20 \* \* \*

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