

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

HOUSE BILL

No. 2742 Session of  
2020

---

INTRODUCED BY STRUZZI, PICKETT, POLINCHOCK, CALTAGIRONE, DeLUCA,  
ZIMMERMAN AND CIRESI, AUGUST 6, 2020

---

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,  
AUGUST 6, 2020

---

AN ACT

1 Amending Title 27 (Environmental Resources) of the Pennsylvania  
2 Consolidated Statutes, establishing the Office of Compliance  
3 Assistance and Pollution Prevention and providing for powers  
4 and duties.

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

7 Section 1. Title 27 of the Pennsylvania Consolidated  
8 Statutes is amended by adding a chapter to read:

9 CHAPTER 33

10 OFFICE OF COMPLIANCE ASSISTANCE

11 AND POLLUTION PREVENTION

12 Sec.

13 3301. Definitions.

14 3302. Office of Compliance Assistance and Pollution Prevention.

15 3303. Compliance methods and technologies.

16 3304. Assistance with meeting statutory requirements.

17 3305. Confidentiality.

18 3306. Training.

1 3307. Report.

2 3308. Use of information.

3 § 3301. Definitions.

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

7 "Department." The Department of Environmental Protection of  
8 the Commonwealth.

9 "Medium-sized business." A business that employs at least  
10 100 but no more than 500 employees.

11 "Office." The Office of Compliance Assistance and Pollution  
12 Prevention established under section 3302 (relating to Office of  
13 Compliance Assistance and Pollution Prevention).

14 "Small business." A business that employs fewer than 100  
15 employees.

16 § 3302. Office of Compliance Assistance and Pollution  
17 Prevention.

18 (a) Office established.--The Office of Compliance Assistance  
19 and Pollution Prevention is established within the department to  
20 enhance the ability of small businesses and medium-sized  
21 businesses to comply with environmental statutes, regulations  
22 and agency policy and to prevent unnecessary degradation or  
23 diminution of the State's land, air, waste and water.

24 (b) Director.--The director of the office shall be  
25 designated by the Secretary of Environmental Protection and  
26 shall have suitable technical qualifications to supervise the  
27 staff and operations of the office.

28 (c) Staff.--The department shall hire or transfer sufficient  
29 staff for the office, including licensed attorneys, licensed  
30 professional engineers and licensed geologists.

1 § 3303. Compliance methods and technologies.

2 The office shall develop, collect and coordinate compliance  
3 methods and technologies that may be employed by small  
4 businesses and medium-sized businesses whose operations in this  
5 Commonwealth require a permit, authorization or ongoing  
6 compliance with a Federal or State statute, including all of the  
7 following:

8 (1) The Federal Water Pollution Control Act (62 Stat.  
9 1155, 33 U.S.C. § 1251 et seq.).

10 (2) The Clean Air Act (Public Law 95-95, 42 U.S.C. §  
11 7401 et seq.), including the Clean Air Act Amendments (Public  
12 Law 101-549, 104 Stat. 2399) approved November 15, 1990.

13 (3) The act of June 22, 1937 (P.L.1987, No.394), known  
14 as The Clean Streams Law.

15 (4) The act of January 8, 1960 (1959 P.L.2119, No.787),  
16 known as the Air Pollution Control Act.

17 (5) The act of November 26, 1978 (P.L.1375, No.325),  
18 known as the Dam Safety and Encroachments Act.

19 (6) The act of July 7, 1980 (P.L.380, No.97), known as  
20 the Solid Waste Management Act.

21 (7) The act of May 19, 1995 (P.L.4, No.2), known as the  
22 Land Recycling and Environmental Remediation Standards Act.

23 (8) 58 Pa.C.S. (relating to oil and gas).

24 § 3304. Assistance with meeting statutory requirements.

25 The office shall assist small businesses and medium-sized  
26 businesses:

27 (1) in determining applicable requirements under the  
28 statutes listed in section 3303 (relating to compliance  
29 methods and technologies);

30 (2) in obtaining relevant permits and authorizations;

1           (3) with relevant work practices, existing operational  
2           or technology options and material inputs; and

3           (4) with a recommended timeline for operations as a  
4           method of compliance.

5 § 3305. Confidentiality.

6           The office shall ensure the confidentiality of all  
7           communications and information from and on behalf of small  
8           businesses and medium-sized businesses that seek assistance from  
9           the office.

10 § 3306. Training.

11           The office shall conduct training events in geographically  
12           dispersed locations in this Commonwealth with small businesses  
13           and medium-sized businesses to:

14           (1) Inform businesses about their compliance obligations  
15           with respect to relevant environmental statutes, regulations  
16           and policies.

17           (2) Advise businesses of best practices, workflow,  
18           energy efficiency opportunities, available technology and  
19           public and private financing and funding opportunities to pay  
20           for technology improvements at businesses' facilities.

21 § 3307. Report.

22           The office shall provide a biannual report to the General  
23           Assembly providing an estimate of the avoided environmental  
24           impacts and sustained economic activity resulting from the  
25           office's activities.

26 § 3308. Use of information.

27           No information submitted to, acquired by or exchanged with  
28           public officials under this chapter shall be used in any manner  
29           for purposes of enforcement or used as evidence in any judicial  
30           or administrative enforcement proceeding. Nothing in this

1 chapter confers immunity from enforcement based on information  
2 obtained by the department or a law enforcement agency in the  
3 course of effectuating existing statute and law.

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