



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 1842

PRINTERS NO. 2231

PRIME SPONSOR: Zimmerman

COST / (SAVINGS)

FUND	FY 2021/22	FY 2022/23
General Fund; Clean Water Fund	See Fiscal Impact	See Fiscal Impact

SUMMARY: House Bill 1842, Printer's Number 2231, amends the Clean Streams Law to require that spills or discharges be reported only when they violate state water quality criteria or established reportable quantities under federal law.

ANALYSIS: This bill amends the Clean Streams Law (Act 394 of 1937) to add a new section 404 addressing the notice of discharge endangering public health or the environment. A person who spills, discharges or releases a substance into waters of the Commonwealth, or a location from which the substance is likely to enter, shall notify the Department of Environmental Protection if the release is not authorized by a permit. The notice shall report if the discharge is likely harmful to public health or the environment as determined by reportable quantities or ascertainable standards.

The Environmental Quality Board (EQB) shall publish for public comment proposed regulations establishing reportable quantities or ascertainable standards to determine whether a release is likely harmful to public health of the environment. The EQB shall make the regulations available no later than one hundred eighty days and promulgate final regulations no later than three hundred sixty-five days after the effective date of this act respectively.

This legislation would take effect in 60 days upon enactment.

FISCAL IMPACT: DEP has raised concerns this legislation could potentially reduce fine revenues to the Clean Water Fund resulting from fewer violations being reported. However, the bill's language does not change DEP enforcement authority and establishes that these reporting changes be made via regulations through the EQB to be consistent with federal standards.

PREPARED BY: Jeffrey Clukey
House Appropriations Committee (R)

DATE: December 14, 2021

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.