

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 241 Session of  
1989

INTRODUCED BY MUSTO, JANUARY 23, 1989

REFERRED TO ENVIRONMENTAL RESOURCES AND ENERGY,  
JANUARY 23, 1989

AN ACT

1 Amending the act of June 22, 1937 (P.L.1987, No.394), entitled,  
2 as amended, "An act to preserve and improve the purity of the  
3 waters of the Commonwealth for the protection of public  
4 health, animal and aquatic life, and for industrial  
5 consumption, and recreation; empowering and directing the  
6 creation of indebtedness or the issuing of non-debt revenue  
7 bonds by political subdivisions to provide works to abate  
8 pollution; providing protection of water supply and water  
9 quality; providing for the jurisdiction of courts in the  
10 enforcement thereof; providing additional remedies for  
11 abating pollution of waters; imposing certain penalties;  
12 repealing certain acts; regulating discharges of sewage and  
13 industrial wastes; regulating the operation of mines and  
14 regulating the impact of mining upon water quality, supply  
15 and quantity; placing responsibilities upon landowners and  
16 land occupiers and to maintain primary jurisdiction over  
17 surface coal mining in Pennsylvania," further providing for  
18 The Clean Water Fund.

19 The General Assembly of the Commonwealth of Pennsylvania  
20 hereby enacts as follows:

21 Section 1. Section 8 of the act of June 22, 1937 (P.L.1987,  
22 No.394), known as The Clean Streams Law, is amended by adding  
23 subsections to read:

24 Section 8. Clean Water Fund.--\* \* \*

25 (c) Priority for the use of funds in The Clean Water Fund

1 shall be given to projects to provide for the cleanup of  
2 contamination caused by inadequate sewage collection and  
3 treatment facilities in any municipality which meets all of the  
4 following criteria:

5 (1) an area of the municipality is contaminated by discharge  
6 of sewage because of inadequate sewage collection and treatment  
7 and such contamination presents a present or potential danger to  
8 human health or the environment;

9 (2) the municipality has formally submitted a sewage  
10 services plan on a modification, amendment or revision to a  
11 sewage services plan under the provisions of the act of January  
12 24, 1966 (1965 P.L.1535, No.537), known as the "Pennsylvania  
13 Sewage Facilities Act";

14 (3) the department has disapproved the plan because of the  
15 existence of the sewage related contamination or has conditioned  
16 the approval of the plan upon the mitigation of the sewage  
17 related contamination;

18 (4) except for the lack of a permit issued pursuant to an  
19 approved plan, the municipality would otherwise be eligible to  
20 apply for or be considered for a grant or loan under the act of  
21 March 1, 1988 (P.L.82, No.16), known as the "Pennsylvania  
22 Infrastructure Investment Authority Act"; and

23 (5) the facilities to be provided under the plan submitted  
24 under the "Pennsylvania Sewage Facilities Act," would  
25 interconnect with and utilize facilities of an existing  
26 municipal sewage collection and treatment system.

27 (d) The secretary shall establish a priority list for the  
28 use of the fund as specified in subsection (c) and shall  
29 specifically encumber the amount of money in The Clean Water  
30 Fund as is necessary for each project determined to be eligible

1 under subsection (c).

2 (e) As used in this section, the term "municipality" means a  
3 borough or township.

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