

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 281 Session of
1989

INTRODUCED BY FISHER, HELFRICK, PORTERFIELD, SHUMAKER, WILT,
MUSTO, CORMAN, ANDREZESKI, SCANLON, REIBMAN AND SALVATORE,
JANUARY 24, 1989

REFERRED TO ENVIRONMENTAL RESOURCES AND ENERGY,
JANUARY 24, 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," providing that permits
18 shall not be required for certain sewer extensions.

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

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

24 Section 1. Definitions.--Be it enacted, &c., That the
25 following words or phrases, unless the context clearly indicates

1 otherwise, shall have the meanings ascribed to them in this
2 section.

3 * * *

4 "Sewer extension" shall be construed to include new pipelines
5 or conduits, and all other appurtenant constructions, devices
6 and facilities except pumping stations and force mains added to
7 an existing sewer system for the purpose of conveying sewage
8 from individual structures or properties to the existing system.

9 * * *

10 Section 2. Section 207 of the act, amended October 10, 1980
11 (P.L.894, No.157), is amended to read:

12 Section 207. Approval of Plans, Designs, and Relevant Data
13 by the Department.--(a) All plans, designs, and relevant data
14 for the construction of any new sewer system, or for the
15 extension of any existing sewer system, except as provided in
16 section (b), by a person or municipality, or for the erection,
17 construction, and location of any treatment works or
18 intercepting sewers by a person or municipality, shall be
19 submitted to the department for its approval before the same are
20 constructed or erected or acquired. Any such construction or
21 erection which has not been approved by the department by
22 written permit, or any treatment works not operated or
23 maintained in accordance with the rules and regulations of the
24 department, is hereby also declared to be a nuisance and
25 abatable as herein provided.

26 (b) Except as specifically provided by the rules and
27 regulations of the department, plans, designs and relevant data
28 for the construction of a sewer extension to collect no more
29 than the equivalent volume of sewage from two hundred fifty
30 single family dwelling units by a person or municipality shall

not require a permit from the department if such sewer extension is located, constructed, connected and maintained in accordance with the rules and regulations of the department and is consistent with the approved official plan, required by section 5 of the act of January 24, 1966 (1965 P.L.1535, No.537), known as the "Pennsylvania Sewage Facilities Act," for the municipality in which the sewer extension is to be located, constructed, connected or maintained. However, all such sewer extensions remain subject to any conditions imposed by the department, the municipality, or any municipal authority whose interest may be affected by the sewer extension. Any such sewer extension which is located, constructed, connected or maintained contrary to the rules and regulations of the department, contrary to the terms and conditions of a permit, inconsistent with the approved official plan for the municipality or contrary to any conditions imposed by the department, municipality or municipal authority is also hereby declared to be a nuisance and abatable as provided herein.

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