

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1504 Session of
1993

INTRODUCED BY GEORGE, DeWEESE, FEE, PESCI, STISH, CAPPABIANCA,
LAUB, KING, McCALL, LUCYK, ARMSTRONG, STABACK, M. N. WRIGHT,
STERN, TRELLO, S. H. SMITH, COLAIZZO, SERAFINI, WAUGH,
BELARDI, WOZNIAK, BARLEY, OLASZ, PHILLIPS, BELFANTI AND
SAURMAN, MAY 3, 1993

REFERRED TO COMMITTEE ON CONSERVATION, MAY 3, 1993

AN ACT

1 Amending the act of November 26, 1978 (P.L.1375, No.325),
2 entitled, as amended, "An act providing for the regulation
3 and safety of dams and reservoirs, water obstructions and
4 encroachments; consolidating and clarifying the programs of
5 the Department of Environmental Resources and Navigation
6 Commission for the Delaware River; establishing penalties and
7 repealing certain acts," further providing for general
8 permits.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. Section 7 of the act of November 26, 1978
12 (P.L.1375, No.325), known as the Dam Safety and Encroachments
13 Act, is amended by adding a subsection to read:

14 Section 7. General permits and waiver of permit requirements.

15 * * *

16 (e) A general permit for activity in a wetland is not
17 required where building foundations, other remains of previous
18 structures, or existing abandoned structures exist. Building
19 foundations, other remains of previous structures, or existing

abandoned buildings shall constitute evidence that the site was
previously used for activity other than a wetland. Minor
hydrological modifications by the owner are not a bar to
resumption of activities or operations previously conducted at
the location. The elapsed time between cessation of an operation
or activity at the site and the planned resumption of activity
at the site shall not bar the owner for resumption of activity
at the site. The activity or operations conducted at the site do
not have to be similar in order to meet the provisions of this
section. Any discharge of fill material into an adjoining
wetland in preparation of the site for the resumption of an
active operation shall not require a permit application as long
as the discharge is related to the minor hydrological
modifications which are required to allow the resumption of
activity at the site.

Section 2. This act shall take effect immediately.