

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 344 Session of  
1995

INTRODUCED BY GEORGE, LAUGHLIN, TRELLO, STEELMAN, HALUSKA,  
BATTISTO, TIGUE, PESCI, FAIRCHILD, OLASZ AND THOMAS,  
JANUARY 26, 1995

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,  
JANUARY 26, 1995

AN ACT

1 Amending the act of July 13, 1988 (P.L.530, No.94), entitled "An  
2 act establishing the Environmental Hearing Board as an  
3 independent, quasi-judicial agency; providing for the  
4 membership and staff, the powers and duties, the seats and  
5 the existing members of the board; transferring certain  
6 funds; and making repeals," further providing for  
7 adjudication of the board.

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

10 Section 1. Section 4 of the act of July 13, 1988 (P.L.530,  
11 No.94), known as the Environmental Hearing Board Act, is amended  
12 by adding subsections to read:

13 Section 4. Jurisdiction.

14 \* \* \*

15 (i) Adjudication.--The Environmental Hearing Board shall  
16 issue an adjudication within 18 months of the close of the  
17 record and the filing of posthearing briefs by the parties,  
18 except in those instances where the proceedings involve the  
19 issuance of a permit for the construction or expansion of a

1 facility regulated under the act of July 7, 1980 (P.L.380,  
2 No.97), known as the Solid Waste Management Act, the act of July  
3 28, 1988 (P.L.556, No.101), known as the Municipal Waste  
4 Planning, Recycling and Waste Reduction Act, or the act of  
5 October 18, 1988 (P.L.756, No.108), known as the Hazardous Sites  
6 Cleanup Act, the board shall render a decision within 12 months  
7 after the close of the record and the filing of posthearing  
8 briefs.

9 (j) Report.--Whenever the board fails to meet the  
10 requirements of subsection (i), the board shall issue a detailed  
11 report setting forth the reasons for the board's failure to  
12 comply with subsection (i). This report shall be made in writing  
13 to the Chairman of the Environmental Resources and Energy  
14 Committee of the Senate and the Chairman of the Conservation  
15 Committee of the House of Representatives.

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