

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1017 Session of  
2007

INTRODUCED BY BRUBAKER, WONDERLING, PUNT, O'PAKE, WAUGH,  
TARTAGLIONE, KITCHEN, RAFFERTY, ERICKSON, FERLO AND MADIGAN,  
JUNE 30, 2007

REFERRED TO ENVIRONMENTAL RESOURCES AND ENERGY, JUNE 30, 2007

AN ACT

1 Amending the act of July 5, 1989 (P.L.166, No.31), entitled "An  
2 act prohibiting the sale, manufacture, distribution or use of  
3 certain cleaning agents containing phosphates; conferring  
4 powers and duties on the Environmental Quality Board and the  
5 Department of Environmental Resources; and providing  
6 penalties," further providing for exclusions and exceptions.

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

9 Section 1. Section 3(b) of the act of July 5, 1989 (P.L.166,  
10 No.31), known as the Phosphate Detergent Act, reenacted June 25,  
11 1999 (P.L.228, No.31), is amended to read:

12 Section 3. Exclusions and exceptions.

13 \* \* \*

14 (b) Exceptions.--A person may use, sell, manufacture or  
15 distribute for use or sale a cleaning agent that contains  
16 greater than 0.0% phosphorus by weight, but does not exceed 8.7%  
17 phosphorus by weight, if it is only one of the following:

18 (1) A detergent used in a commercial or institutional  
19 dishwashing machine[, whether commercial or household].

1           (2) A substance the Environmental Quality Board, by  
2 regulation, excludes from the 0.0% phosphorus limitation  
3 contained in section 2 based on a finding that compliance  
4 with this act would:

5                 (i) create a significant hardship on the user; or

6                 (ii) be unreasonable because of the lack of an  
7 adequate substitute cleaning agent.

8       Section 2. This act shall take effect July 1, 2010, or  
9 immediately, whichever is later.