

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1450 Session of
2009

INTRODUCED BY DEASY, MUSTIO, VULAKOVICH, MATZIE, BRADFORD,
DERMODY, FABRIZIO, FRANKEL, FREEMAN, GEORGE, MAHONEY, MELIO,
MURPHY, READSHAW, CASORIO, MARSHALL, D. COSTA AND MURT,
MAY 6, 2009

AS REPORTED FROM COMMITTEE ON ENVIRONMENTAL RESOURCES AND
ENERGY, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 29, 2010

AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania
2 Consolidated Statutes, transferring provisions relating to
3 environmental advisory councils; providing for the
4 designation and regulation of geologically hazardous areas
5 throughout this Commonwealth to protect people and limit
6 property damage and the disruption of commerce from the
7 possible dangers associated with land development in areas
8 that are prone to landslides, sinkholes or other geologic
9 hazards; imposing duties and conferring powers on the
10 Department of Environmental Protection, the Department of
11 Conservation and Natural Resources and municipalities; and
12 providing for enforcement and remedies.

13 The General Assembly of the Commonwealth of Pennsylvania
14 hereby enacts as follows:

15 Section 1. Subchapter B of Chapter 23 of Title 53 of the
16 Pennsylvania Consolidated Statutes is repealed:

17 [SUBCHAPTER B

18 ENVIRONMENTAL ADVISORY COUNCILS

19 Sec.

20 2321. Scope of subchapter.

21 2322. Establishment of environmental advisory council.

- 1 2323. Composition and organization of council.
- 2 2324. Powers and duties of council.
- 3 2325. Records and reports.
- 4 2326. Appropriations for expenses of council.
- 5 2327. Status of existing agencies unaffected.
- 6 2328. Assistance from State Conservation Commission.
- 7 2329. Assistance from Department of Community and Economic
- 8 Development.

9 § 2321. Scope of subchapter.

10 This subchapter applies to all municipal corporations.

11 § 2322. Establishment of environmental advisory council.

12 The governing body of any municipal corporation or group of
13 two or more municipal corporations may by ordinance establish an
14 environmental advisory council to advise other local
15 governmental agencies, including, but not limited to, the
16 planning commission, park and recreation boards and elected
17 officials, on matters dealing with protection, conservation,
18 management, promotion and use of natural resources, including
19 air, land and water resources, located within its or their
20 territorial limits.

21 § 2323. Composition and organization of council.

22 (a) Composition.--An environmental advisory council shall be
23 composed of no less than three nor more than seven residents of
24 the municipal corporation establishing the council, who shall be
25 appointed and all vacancies filled by the governing body. Where
26 two or more municipal corporations jointly establish an
27 environmental advisory council, the members shall be appointed
28 in the same manner by each of the respective municipal
29 corporations establishing the council, each constituent
30 municipal corporation to have equal membership on the joint

1 council.

2 (b) Term of office.--Council members shall serve for three
3 years except that initial appointments shall be so staggered
4 that the terms of approximately one-third of the membership
5 shall expire each year, the terms of their successors to be of
6 three years each.

7 (c) Compensation and expenses.--Members shall receive no
8 compensation for their services but shall be reimbursed for the
9 expenses actually and necessarily incurred by them in the
10 performance of their duties.

11 (d) Chairman.--The appointing authority shall designate the
12 chairman of the council except that in joint councils the
13 chairman shall be elected by the duly selected members. Whenever
14 possible, one member shall also be a member of the municipal
15 planning board.

16 § 2324. Powers and duties of council.

17 (a) General rule.--An environmental advisory council shall
18 have the power to:

19 (1) Identify environmental problems and recommend plans
20 and programs to the appropriate agencies for the promotion
21 and conservation of the natural resources and for the
22 protection and improvement of the quality of the environment
23 within its territorial limits.

24 (2) Make recommendations as to the possible use of open
25 land areas of the municipal corporations within its
26 territorial limits.

27 (3) Promote a community environmental program.

28 (4) Keep an index of all open areas, publicly or
29 privately owned, including flood-prone areas, swamps and
30 other unique natural areas, for the purpose of obtaining

1 information on the proper use of those areas.

2 (5) Advise the appropriate local government agencies,
3 including the planning commission and recreation and park
4 board or, if none, the elected governing body or bodies
5 within its territorial limits, in the acquisition of both
6 real and personal property by gift, purchase, grant, bequest,
7 easement, devise or lease, in matters dealing with the
8 purposes of this subchapter.

9 (b) Limitation.--An environmental advisory council shall not
10 exercise any powers or perform any duties which by law are
11 conferred or imposed upon a Commonwealth agency.

12 § 2325. Records and reports.

13 An environmental advisory council shall keep records of its
14 meetings and activities and shall make an annual report which
15 shall be printed in the annual report of the municipal
16 corporation or, if none, otherwise made known and available.

17 § 2326. Appropriations for expenses of council.

18 The governing body of any municipal corporation establishing
19 an environmental advisory council may appropriate funds for the
20 expenses incurred by the council. Appropriations may be expended
21 for those administrative, clerical, printing and legal services
22 as may be required and as shall be within the limit of funds
23 appropriated to the council. The whole or any part of any funds
24 so appropriated in any year may be placed in a conservation fund
25 and allowed to accumulate from year to year or may be expended
26 in any year.

27 § 2327. Status of existing agencies unaffected.

28 This subchapter shall not be construed to require a municipal
29 corporation to abolish an existing commission with a related
30 responsibility or to prevent its establishment.

1 § 2328. Assistance from State Conservation Commission.

2 The State Conservation Commission shall establish a program
3 of assistance to environmental advisory councils that may
4 include educational services, exchange of information,
5 assignment of technical personnel for natural resources planning
6 assistance and the coordination of State and local conservation
7 activities.

8 § 2329. Assistance from Department of Community and Economic
9 Development.

10 The Department of Community and Economic Development shall
11 establish a program of assistance to environmental advisory
12 councils in planning for the management, use and development of
13 open space and recreation areas.]

14 Section 2. Title 53 is amended by adding a part to read:

15 PART VI

16 ENVIRONMENTAL MATTERS

17 Subpart

18 A. Environmental Planning

19 B. Special Considerations

20 SUBPART A

21 ENVIRONMENTAL PLANNING

22 Chapter

23 71. Environmental Advisory Councils

24 CHAPTER 71

25 ENVIRONMENTAL ADVISORY COUNCILS

26 Sec.

27 7101. Scope of chapter.

28 7102. Establishment of environmental advisory council.

29 7103. Composition and organization of council.

30 7104. Powers and duties of council.

1 7105. Records and reports.
2 7106. Appropriations for expenses of council.
3 7107. Status of existing agencies unaffected.
4 7108. Assistance from State Conservation Commission.
5 7109. Assistance from Department of Community and Economic
6 Development.

7 § 7101. Scope of chapter.

8 This chapter applies to all municipal corporations.

9 § 7102. Establishment of environmental advisory council.

10 The governing body of any municipal corporation or group of
11 two or more municipal corporations may by ordinance establish an
12 environmental advisory council to advise other local
13 governmental agencies, including, but not limited to, the
14 planning commission, park and recreation boards and elected
15 officials, on matters dealing with protection, conservation,
16 management, promotion and use of natural resources, including
17 air, land and water resources, located within its or their
18 territorial limits.

19 § 7103. Composition and organization of council.

20 (a) Composition.--An environmental advisory council shall be
21 composed of not less than three nor more than seven residents of
22 the municipal corporation establishing the council who shall be
23 appointed and all vacancies filled by the governing body. Where
24 two or more municipal corporations jointly establish an
25 environmental advisory council, the members shall be appointed
26 in the same manner by each of the respective municipal
27 corporations establishing the council, each constituent
28 municipal corporation shall have equal membership on the joint
29 council.

30 (b) Term of office.--Council members shall serve for three

years except that initial appointments shall be so staggered that the terms of approximately one-third of the membership shall expire each year, the terms of their successors shall be three years each.

(c) Compensation and expenses.--Members shall receive no compensation for their services but shall be reimbursed for the expenses actually and necessarily incurred by them in the performance of their duties.

(d) Chairman.--The appointing authority shall designate the chairman of the council, except that in joint councils, the chairman shall be elected by the duly selected members. Whenever possible, one member shall also be a member of the municipal planning board.

§ 7104. Powers and duties of council.

(a) General rule.--An environmental advisory council shall have the power to:

(1) Identify environmental problems and recommend plans and programs to the appropriate agencies for the promotion and conservation of the natural resources and for the protection and improvement of the quality of the environment within its territorial limits.

(2) Make recommendations as to the possible use of open land areas of the municipal corporations within the council's territorial limits.

(3) Promote a community environmental program.

(4) Keep an index of all open areas, publicly or privately owned, including flood-prone areas, swamps and other unique natural areas, for the purpose of obtaining information on the proper use of those areas.

(5) Advise the appropriate local government agencies,

1 including the planning commission and recreation and park
2 board or, if none, the elected governing body or bodies
3 within the council's territorial limits, in the acquisition
4 of both real and personal property by gift, purchase, grant,
5 bequest, easement, devise or lease, in matters dealing with
6 the purposes of this chapter.

7 (b) Limitation.--An environmental advisory council shall not
8 exercise any powers or perform any duties which by law are
9 conferred or imposed upon a Commonwealth agency.

10 § 7105. Records and reports.

11 An environmental advisory council shall keep records of its
12 meetings and activities and shall make an annual report which
13 shall be printed in the annual report of the municipal
14 corporation or, if none, otherwise made known and available.

15 § 7106. Appropriations for expenses of council.

16 The governing body of any municipal corporation establishing
17 an environmental advisory council may appropriate funds for the
18 expenses incurred by the council. Appropriations may be expended
19 for those administrative, clerical, printing and legal services
20 as may be required and as shall be within the limit of funds
21 appropriated to the council. The whole or any part of any funds
22 so appropriated in any year may be placed in a conservation fund
23 and allowed to accumulate from year to year or may be expended
24 in any year.

25 § 7107. Status of existing agencies unaffected.

26 This chapter shall not be construed to require a municipal
27 corporation to abolish an existing commission with a related
28 responsibility or to prevent its establishment.

29 § 7108. Assistance from State Conservation Commission.

30 The State Conservation Commission shall establish a program

of assistance to environmental advisory councils that may
include educational services, exchange of information,
assignment of technical personnel for natural resources planning
assistance and the coordination of State and local conservation
activities.

§ 7109. Assistance from Department of Community and Economic
Development.

The Department of Community and Economic Development shall
establish a program of assistance to environmental advisory
councils in planning for the management, use and development of
open space and recreation areas.

SUBPART B

SPECIAL CONSIDERATIONS

Chapter

75. Geologically Hazardous Areas

CHAPTER 75

GEOLOGICALLY HAZARDOUS AREAS

Subchapter

A. Preliminary Provisions

B. Agency and Municipal Responsibilities

C. Enforcement and Remedies

D. Miscellaneous Provisions

SUBCHAPTER A

PRELIMINARY PROVISIONS

Sec.

7501. Short title of chapter.

7502. Purpose.

7503. Definitions.

§ 7501. Short title of chapter.

This chapter shall be known and may be cited as the

1 Geologically Hazardous Areas Act.

2 § 7502. Purpose.

3 The purpose of this chapter is to:

4 (1) Protect people and property from the dangers and
5 damage associated with earth disturbance activity in
6 geologically hazardous areas that may be prone to landslides
7 or sinkholes and other hazardous conditions, such as
8 hazardous rock and soil slippage, and other soil management
9 problems.

10 (2) Recognize and minimize the man-made conditions that
11 increase the potential for:

12 (i) Landslides and other gravity-driven movements of
13 susceptible rock and soil.

14 (ii) Sinkhole development and related subsidence in
15 soluble units.

16 (iii) Degradation of surface and groundwater
17 resources associated with the alteration of geologic
18 conditions.

19 (3) Authorize a comprehensive and coordinated program to
20 regulate earth disturbance activity in geologically hazardous
21 areas using sound land use practices designed to prevent
22 damage to and destruction of private and public property and
23 structures, to prevent the disruption of commerce and
24 preserve and restore the natural ecological systems.

25 (4) Encourage administration, management and stewardship
26 of geologically hazardous areas consistent with the
27 obligation to avoid the unnecessary expenditure of public
28 moneys, the Commonwealth's duty as trustee of natural
29 resources and the people's constitutional right to the
30 preservation of the natural, scenic, aesthetic and historic

1 values of the environment.

2 § 7503. Definitions.

3 The following words and phrases when used in this chapter
4 shall have the meanings given to them in this section unless the
5 context clearly indicates otherwise:

6 "Closed depression." Part of the land surface on a site that
7 drains internally, has generally sunk to a variable depth and is
8 generally characterized by a downward movement of soil into
9 bedrock voids without breaking the ground surface.

10 "Department." The Department of Environmental Protection of
11 the Commonwealth.

12 "Earth disturbance activity." A construction or other human
13 activity that disturbs the surface of the land, including, but
14 not limited to, land clearing and grubbing, grading,
15 excavations, embankments, land development, agricultural plowing
16 or tilling cultivation, operation of animal heavy use areas,
17 timber harvesting activities, road maintenance activities, oil
18 and gas activities, well drilling, ~~mineral or~~ oil extraction and ←
19 the moving, depositing, stockpiling or storing of soil, rock or
20 earth materials, PROVIDED, HOWEVER, THE TERM DOES NOT INCLUDE, ←
21 AND THIS ACT DOES NOT REGULATE, ANY SURFACE OR SUBSURFACE
22 ACTIVITIES OF ANY PERSON OR LEGAL ENTITY THAT IS REGULATED BY
23 THE ACT OF DECEMBER 19, 1984 (P.L.1093, NO.219), KNOWN AS THE
24 NONCOAL SURFACE MINING CONSERVATION AND RECLAMATION ACT, THE ACT
25 OF MAY 31, 1945 (P.L.1198, NO.418), KNOWN AS THE SURFACE MINING
26 CONSERVATION AND RECLAMATION ACT, THE ACT OF APRIL 27, 1966 (1ST
27 SP.SESS., P.L.31, NO.1), KNOWN AS THE BITUMINOUS MINE SUBSIDENCE
28 AND LAND CONSERVATION ACT, OR THE ACT OF SEPTEMBER 24, 1968
29 (P.L.1040, NO.318), KNOWN AS THE COAL REFUSE DISPOSAL CONTROL
30 ACT.

1 "Geologically hazardous area." An area with geologic
2 formations or soil conditions, or both, that under natural
3 conditions or when disturbed are documented by a licensed
4 professional to be geologically susceptible to cause, or
5 historically have caused, a hazardous condition.

6 "Hazardous condition." Any condition that may include, but
7 not be limited to, a mass earth movement, such as a soil and
8 rock slide, acid formation or sinkhole development, that:

9 (1) has a negative environmental impact;

10 (2) constitutes a danger or potential danger to life,
11 health or property; or

12 (3) threatens the safety, use or stability of property,
13 public ways, structures or utilities.

14 "Karst." A type of topography that is formed over limestone,
15 dolomite or gypsum by bedrock solution and characterized by
16 closed depressions or sinkholes, caves and underground drainage.

17 "Licensed professional." A person licensed by the
18 Commonwealth in the applicable practice under the act of May 23,
19 1945 (P.L.913, No.367), known as the Engineer, Land Surveyor and
20 Geologist Registration Law.

21 "Sinkhole." A surface feature that is:

22 (1) formed in a karst area;

23 (2) characterized by a roughly circular hole in the
24 ground of variable size and depth; and

25 (3) the result of the movement of soil, rocks or similar
26 materials down into voids in the limestone bedrock or
27 regolith.

28 SUBCHAPTER B

29 AGENCY AND MUNICIPAL RESPONSIBILITIES

30 Sec.

1 7511. Duties of Department of Conservation and Natural
2 Resources.

3 7512. Geologic reports.

4 7513. Duties of department.

5 7514. Inspections.

6 7515. Liability.

7 7516. Conditioned approval by municipality.

8 7517. SCOPE.



9 § 7511. Duties of Department of Conservation and Natural
10 Resources.

11 (a) General rule.--The Department of Conservation and
12 Natural Resources shall:

13 (1) Develop techniques and criteria for mapping
14 geologically hazardous areas in this Commonwealth.

15 (2) Identify and delineate geologically hazardous areas
16 in this Commonwealth.

17 (3) Analyze:

18 (i) The type and nature of rock and soil susceptible
19 to acid formation, a landslide, a sinkhole or development
20 of karst that may result in a hazardous condition.

21 (ii) Other relevant factors determined by the
22 Department of Conservation and Natural Resources.

23 (4) Create an inventory of data developed under this
24 section that is publicly available.

25 (5) Notify the municipalities identified as falling
26 within a geologically hazardous area or having within their
27 boundaries a geologically hazardous area.

28 (b) Report.--Within two years following enactment of this
29 chapter, the Department of Conservation and Natural Resources
30 shall report to the General Assembly the information gathered

under subsection (a), including the mapping of geologically hazardous areas of high priority, as defined by the Department of Conservation and Natural Resources, and a projected plan to continue gathering the information directed by subsection (a).

(c) Review and update.--The Department of Conservation and Natural Resources shall periodically review and update the following, which shall be forwarded to the department:

(1) The techniques and criteria for mapping geologically hazardous areas in this Commonwealth.

(2) The maps of geologically hazardous areas in this Commonwealth.

(d) Performance of duties.--In performing its duties under this section, the Department of Conservation and Natural Resources shall:

(1) Review aerial photographs and maps, soil data and geologic information, which may include:

(i) Data and reports from other departments.

(ii) Geologic reports under section 7512 (relating to geologic reports).

(2) Perform site visits and studies as necessary.

(e) Publication of hazardous areas.--The Department of Conservation and Natural Resources shall publish in the Pennsylvania Bulletin a list of all municipalities that fall within a geologically hazardous area or have geologically hazardous areas within their boundaries, as identified and delineated under subsection (a)(2). The list shall be published at least annually and more often if updated, but at least 30 days prior to the municipality being officially designated.

(f) Regulations.--The Department of Conservation and Natural Resources may promulgate regulations necessary to implement this

1 section.

2 § 7512. Geologic reports.

3 (a) General rule.--A person proposing to undertake earth
4 disturbance activity within a geologically hazardous area shall
5 submit a geologic report, prepared and sealed by a licensed
6 professional, to the municipality and department or its
7 delegated designee, along with:

8 (1) any application to discharge pollutants or storm
9 water under a National Pollutant Discharge Elimination System
10 Permit for Discharges Associated with Construction Activities
11 or any other authorization relating to earthmoving
12 activities;

13 (2) a plan to control erosion and sediment required
14 under departmental rules and regulations; or

15 (3) a plan to manage postconstruction storm water
16 required under departmental rules and regulations.

17 (b) Additional requirements.--In addition to the application
18 requirements for the items set forth in subsection (a), a
19 geologic report under this section must adequately identify the
20 proposed courses of action and their sequence, to be taken
21 during and after construction to eliminate or reduce the
22 occurrence of a hazardous condition as a result of the proposed
23 earth disturbance activity.

24 (c) Fees.--A person submitting a geologic report under this
25 section shall be responsible for all fees involving the
26 preparation and review of the report.

27 (d) Review.--The department, its delegated designee or a
28 municipality may have a geologic report submitted under this
29 section reviewed by a licensed professional independent from the
30 preparer and sealer of the submitted report.

1 (e) Scope.--This section shall not apply to a municipality
2 engaging in road construction and maintenance activities.

3 § 7513. Duties of department.

4 (a) Approval.--The department may authorize earth
5 disturbance activity in a geologically hazardous area in
6 accordance with applicable laws and regulations if the
7 department determines that the geologic report under section
8 7512 (relating to geologic reports) adequately identifies the
9 proposed courses of action to be taken during and after
10 construction to eliminate or reduce the occurrence of a
11 hazardous condition as a result of the proposed earth
12 disturbance activity.

13 (b) Disapproval.--The department may refuse to authorize
14 earth disturbance activity in a geologically hazardous area if
15 the geologic report under section 7512 fails to adequately
16 identify proposed courses of action to be taken during and after
17 construction to eliminate or reduce the occurrence of a
18 hazardous condition as a result of the proposed earth
19 disturbance activity.

20 (c) Delegation of permit review.--The department may
21 delegate its permit review, enforcement and inspection authority
22 under this chapter to a county conservation district.

23 (d) Duties.--In issuing orders or permits, and in taking any
24 other action under this chapter, the department shall:

25 (1) Review and take appropriate action on all permit
26 applications submitted under this chapter and issue, modify,
27 suspend, limit, renew or revoke permits under this chapter
28 and departmental regulations.

29 (2) Receive and act upon written complaints.

30 (3) Issue orders necessary to implement this chapter or

departmental regulations.

(e) Regulations.--The Environmental Quality Board may promulgate regulations necessary to implement this chapter. § 7514. Inspections.

(a) Condition.--Approval of earth disturbance activity within a geologically hazardous area may be conditioned upon the granting of permission for an agent or employee of a municipality or the department to:

(1) Enter a property to survey a geologically hazardous area or ascertain the location of a structure.

(2) Enter a property or structure to ascertain compliance or noncompliance with this chapter, municipal and Commonwealth law, regulation, approval, conditional approval or order.

(b) Inspection warrant.--If an agent or employee of a municipality or the department charged with the enforcement of the provisions of this chapter has been improperly refused access to the property to survey or inspect as authorized by subsection (a) or reasonably requires access to the property without prior notice to the owner, the agent or employee of the municipality or the department may apply for an inspection warrant to any Commonwealth official authorized by law to issue a search or inspection warrant to permit the agent or employee of the municipality or the department to access and inspect the property. In determining whether to issue an inspection warrant, sufficient probable cause is that the inspection is necessary to properly enforce the provisions of this chapter.

(c) Grounds.--The department shall promptly inspect earth disturbance activity within a geologically hazardous area when the municipality presents information to the department that

gives the department probable cause to believe that there is a violation of this chapter, including a violation of regulation, approval, conditional approval or order issued under this chapter. The department shall notify the municipality of this inspection and allow a municipal inspector from the municipality to accompany the departmental inspector during the inspection. If the department determines that there is insufficient information to give the department probable cause to believe that a violation is occurring or has occurred, the department shall promptly provide a written explanation to the municipality of its decision not to inspect.

§ 7515. Liability.

(a) General rule.--Approval, conditional approval or issuance of a permit under this chapter does not:

(1) relieve a person from liability for damage to persons or property resulting from the issuance or compliance, or as otherwise imposed by law; or

(2) impose any liability for damages to persons or property on the municipality or Commonwealth or its officers, employees or agents.

(b) Costs.--Any person conducting earth disturbance activity in violation of this chapter or a regulation or order under this chapter is liable for the costs of abatement of any pollution and any public nuisance caused by the violation.

§ 7516. Conditioned approval by municipality.

A municipality may not finally approve a proposal involving earth disturbance activity under this chapter unless and until the department approves the earth disturbance activity, but a municipality may conditionally approve a proposal involving earth disturbance activity under this chapter, subject to



1 approval or conditional approval by the department.

2 § 7517. SCOPE.

3 THIS CHAPTER SHALL NOT APPLY TO ANY PERSON OR LEGAL ENTITY
4 THAT IS REGULATED BY THE ACT OF DECEMBER 19, 1984 (P.L.1093,
5 NO.219), KNOWN AS THE NONCOAL SURFACE MINING CONSERVATION AND
6 RECLAMATION ACT, THE ACT OF MAY 31, 1945 (P.L.1198, NO.418),
7 KNOWN AS THE SURFACE MINING CONSERVATION AND RECLAMATION ACT,
8 THE ACT OF APRIL 27, 1966 (1ST SP.SESS., P.L.31, NO.1), KNOWN AS
9 THE BITUMINOUS MINE SUBSIDENCE AND LAND CONSERVATION ACT, OR THE
10 ACT OF SEPTEMBER 24, 1968 (P.L.1040, NO.318), KNOWN AS THE COAL
11 REFUSE DISPOSAL CONTROL ACT.

12 SUBCHAPTER C

13 ENFORCEMENT AND REMEDIES

14 Sec.

15 7521. Enforcement and remedies.

16 § 7521. Enforcement and remedies.

17 (a) Unlawful conduct.--It is unlawful to:

18 (1) Fail to comply with any departmental rule,
19 regulation, order, permit or license.

20 (2) Violate this chapter or any rule or regulation
21 adopted under this chapter.

22 (3) Hinder, obstruct, prevent or interfere with the
23 department, its personnel or any delegated designee in the
24 performance of any duty under this chapter.

25 (b) Remedies and enforcement under The Clean Streams Law.--
26 Except as provided in subsection (c), for purposes of
27 enforcement of this chapter and remedies under this chapter, the
28 act of June 22, 1937 (P.L.1987, No.394), known as The Clean
29 Streams Law, shall govern.

30 (c) Scope.--Nothing in subsection (b) is intended to broaden

1 the scope of persons that must comply with the provisions of
2 this chapter.

3 (d) Construction.--An offense that constitutes a violation
4 of this chapter and The Clean Streams Law shall not result in
5 dual penalties.

6 SUBCHAPTER D

7 MISCELLANEOUS PROVISIONS

8 Sec.

9 7531. Administration.

10 7532. Effect on other law.

11 § 7531. Administration.

12 The General Assembly shall appropriate the funds necessary to
13 implement this chapter.

14 § 7532. Effect on other law.

15 Nothing contained in this chapter shall be construed to
16 create additional review powers already regulated by other law.

17 Section 3. The addition of 53 Pa.C.S. Ch. 71 is a
18 continuation of 53 Pa.C.S. Ch. 23 Subch. B. The provisions of
19 this act shall not affect any act done, liability incurred,
20 right accrued or vested or any suit or prosecution pending or to
21 be instituted under the authority of 53 Pa.C.S. Ch. 23 Subch. B.

22 Section 4. This act shall take effect immediately.