
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2278 Session of
2012

INTRODUCED BY HANNA, GEORGE, THOMAS, BROWNLEE, CALTAGIRONE,
CARROLL, COHEN, CURRY, DALEY, FABRIZIO, HALUSKA, HORNAMAN,
JOSEPHS, MAHONEY, MCGEEHAN, MIRABITO, MUNDY, PASHINSKI,
PRESTON, SANTARSIERO, STABACK, STURLA AND YOUNGBLOOD,
MARCH 26, 2012

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,
MARCH 26, 2012

AN ACT

1 Amending the act of May 19, 1995 (P.L.4, No.2), entitled "An act
2 providing for the recycling of existing industrial and
3 commercial sites; further defining the cleanup liability of
4 new industries and tenants; establishing a framework for
5 setting environmental remediation standards; establishing the
6 Voluntary Cleanup Loan Fund, the Industrial Land Recycling
7 Fund and the Industrial Sites Cleanup Fund to aid industrial
8 site cleanups; assigning powers and duties to the
9 Environmental Quality Board and the Department of
10 Environmental Resources; and making repeals," further
11 providing for powers and duties and for remediation
12 standards.

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

15 Section 1. Sections 104 and 301 of the act of May 19, 1995
16 (P.L.4, No.2), known as the Land Recycling and Environmental
17 Remediation Standards Act, are amended by adding subsections to
18 read:

19 Section 104. Powers and duties.

20 * * *

21 (a.1) Regulations.--The Environmental Quality Board shall

1 adopt regulations to address chemicals commonly found in
2 hydraulic fracturing fluids and other chemicals associated with
3 oil or natural gas extraction activities that are not addressed
4 in 25 Pa. Code Ch. 250 (relating to administration of Land
5 Recycling Program). The chemicals may include major cations and
6 anions, arsenic, benzene, toluene, ethylbenzene, xylenes,
7 manganese, dissolved methane, total dissolved solids, chlorides,
8 nutrients and radionuclides. A regulation needed to implement
9 this subsection must be proposed no later than 12 months after
10 the effective date of this subsection and must be finalized no
11 later than 24 months after the effective date of this subsection
12 unless otherwise specified in this subsection.

13 * * *

14 Section 301. Remediation standards.

15 * * *

16 (a.1) Requirement.--When contamination occurs on a
17 residential property by an entity other than the property owner,
18 the site must be returned to the background standard unless
19 written consent is granted by the property owner to allow for
20 Statewide health standards or site-specific standards to be
21 implemented.

22 * * *

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