

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 956 Session of 2011

INTRODUCED BY RAFFERTY, BREWSTER, FONTANA, FERLO AND WASHINGTON,
APRIL 11, 2011

REFERRED TO ENVIRONMENTAL RESOURCES AND ENERGY, APRIL 11, 2011

AN ACT

1 Amending the act of January 8, 1960 (1959 P.L.2119, No.787),
2 entitled, as amended, "An act to provide for the better
3 protection of the health, general welfare and property of the
4 people of the Commonwealth by the control, abatement,
5 reduction and prevention of the pollution of the air by
6 smokes, dusts, fumes, gases, odors, mists, vapors, pollens
7 and similar matter, or any combination thereof; imposing
8 certain powers and duties on the Department of Environmental
9 Resources, the Environmental Quality Board and the
10 Environmental Hearing Board; establishing procedures for the
11 protection of health and public safety during emergency
12 conditions; creating a stationary air contamination source
13 permit system; providing additional remedies for abating air
14 pollution; reserving powers to local political subdivisions,
15 and defining the relationship between this act and the
16 ordinances, resolutions and regulations of counties, cities,
17 boroughs, towns and townships; imposing penalties for
18 violation of this act; and providing for the power to enjoin
19 violations of this act; and conferring upon persons aggrieved
20 certain rights and remedies," further providing for
21 Environmental Quality Board; and providing for control of
22 emissions from halogenated solvent cleaning facilities and
23 for control of trichloroethylene.

24 The General Assembly of the Commonwealth of Pennsylvania
25 hereby enacts as follows:

26 Section 1. Section 5(a) of the act of January 8, 1960 (1959
27 P.L.2119, No.787), known as the Air Pollution Control Act, is
28 amended by adding a clause to read:

1 Section 5. Environmental Quality Board.--(a) The board
2 shall have the power and its duty shall be to--

3 * * *

4 (14) Adopt by regulation emission limitations for
5 trichloroethylene from the use of solvent cleaning machines,
6 that use only trichloroethylene, in facilities that manufacture
7 narrow tubing, that meet the emission limitation standards for a
8 halogenated hazardous air pollutant solvent as contained in 40
9 CFR Pt. 63 (relating to national emission standards for
10 hazardous air pollutants for source categories), notwithstanding
11 the Federal regulatory exclusion for such facilities. The
12 regulations shall expire one year after the effective date of
13 this clause.

14 * * *

15 Section 2. The act is amended by adding sections to read:

16 Section 6.8. Control of Emissions from Halogenated Solvent
17 Cleaning Facilities.--(a) Notwithstanding section 6.6 or any
18 other provision of law to the contrary, a facility for the
19 manufacture of narrow tubing that utilizes a solvent cleaning
20 machine, that uses trichloroethylene as a halogenated hazardous
21 air pollutant solvent, shall comply with the general emission
22 limitation standards for a trichloroethylene only halogenated
23 hazardous air pollutant solvent as contained in 40 CFR Pt. 63
24 (relating to national emission standards for hazardous air
25 pollutants for source categories), notwithstanding the Federal
26 regulatory exclusion for such facilities.

27 (b) This section shall expire in one year.

28 (c) As used in this section, the following words and phrases
29 shall have the meanings given to them in this subsection:

30 "Facility." A facility for the manufacture of narrow tubing.

1 "Halogenated hazardous air pollutant solvent." This term
2 shall have the meaning given to it in 40 CFR § 63.461 (relating
3 to definitions).

4 "Narrow tubing." Small diameter (mechanical and hypodermic
5 size) cold drawn metallic, seamless tubing that is manufactured
6 from stainless steel, nickel alloys, titanium and its alloys or
7 alloys of zirconium and that has a portion of the outside
8 diameter of .25 inches or less.

9 "Solvent cleaning machine." This term shall have the same
10 meaning given to it in 40 CFR § 63.641 (relating to
11 definitions).

12 Section 6.9. Control of Trichloroethylene.--Beginning one
13 year after the effective date of this section no person may use
14 trichloroethylene in this Commonwealth.

15 Section 3. This act shall take effect in 60 days.