

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**SENATE BILL****No. 1386** Session of  
2012

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INTRODUCED BY VOGEL, SOLOBAY, SCARNATI, PILEGGI, COSTA, ALLOWAY, ARGALL, BAKER, BLAKE, BOSCOLA, BREWSTER, DINNIMAN, EICHELBERGER, ERICKSON, FARNESE, FERLO, FOLMER, FONTANA, HUGHES, KASUNIC, KITCHEN, LEACH, MENSCH, SCHWANK, ORIE, PIPPY, RAFFERTY, ROBBINS, SMUCKER, STACK, TARTAGLIONE, VANCE, WARD, WASHINGTON, WAUGH, D. WHITE, WILLIAMS, WOZNIAK, YAW AND YUDICHAK, JANUARY 26, 2012

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SENATOR CORMAN, APPROPRIATIONS, RE-REPORTED AS AMENDED, MARCH 5, 2012

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## 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 repealing control of  
22 volatile organic compounds from gasoline-dispensing  
23 facilities.

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

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

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

6 \* \* \*

7 (14) Repeal 25 Pa. Code Ch. 126 Subch. C (relating to  
8 gasoline volatility requirements).

9 \* \* \*

10 Section 2. Section 6.7 of the act, added July 9, 1992  
11 (P.L.460, No.95) and repealed in part November 26, 1997  
12 (P.L.530, ~~No.67~~ NO.57), is repealed: ←

13 [Section 6.7. Control of Volatile Organic Compounds from  
14 Gasoline-Dispensing Facilities.--

15 (h) The department shall implement the functional testing  
16 and certification requirements specified in EPA's Stage II  
17 enforcement and technical guidance documents developed under  
18 section 182 of the Clean Air Act to meet the Clean Air Act  
19 requirements for areas classified as moderate, serious, severe  
20 or extreme ozone nonattainment.]

21 Section 3. This act shall take effect immediately.