
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1640 Session of
2017

INTRODUCED BY O'NEILL, WATSON, STEPHENS, MURT, D. COSTA, DeLUCA
AND MILLARD, JUNE 29, 2017

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,
JUNE 29, 2017

AN ACT

1 Amending the act of October 18, 1988 (P.L.756, No.108), entitled
2 "An act providing for the cleanup of hazardous waste sites;
3 providing further powers and duties of the Department of
4 Environmental Resources and the Environmental Quality Board;
5 providing for response and investigations for liability and
6 cost recovery; establishing the Hazardous Sites Cleanup Fund;
7 providing for certain fees and for enforcement, remedies and
8 penalties; and repealing certain provisions relating to the
9 rate of the capital stock franchise tax," in preliminary
10 provisions, further providing for definitions and providing
11 for Governor may declare disaster emergency.

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

14 Section 1. Section 103 of the act of October 18, 1988
15 (P.L.756, No.108), known as the Hazardous Sites Cleanup Act, is
16 amended by adding a definition to read:

17 Section 103. Definitions.

18 The following words and phrases when used in this act shall
19 have the meanings given to them in this section unless the
20 context clearly indicates otherwise:

21 * * *

22 "Special drinking water resource-impacted community." A

1 municipality whose surface or groundwater resources used for
2 public drinking water supply purposes have been impaired by
3 emerging contaminants, methane or other gases or catastrophic
4 releases of pollutants to such water resources for which
5 treatment or alternative water supply development or procurement
6 is required on an emergency basis to protect public health and
7 safety.

8 * * *

9 Section 2. The act is amended by adding a section to read:
10 Section 105. Governor may declare disaster emergency.

11 (a) General rule.--The Governor shall have emergency
12 authority in accordance with 35 Pa.C.S. § 7301 (relating to
13 general authority of Governor) to declare any municipality a
14 special drinking water resource-impacted community based on the
15 discovery of a release or threatened release of hazardous
16 substances, a polyfluoroalkyl substance or perfluorinated
17 chemical, including, but not limited to, perfluorooctane
18 sulfonate (PFOS) and perfluorooctanoic acid (PFOA), if PFOS and
19 PFOA are present in groundwater or surface water measured at or
20 above 15 parts per trillion, individually or in the aggregate,
21 or other pollutants in or to the municipality's public water
22 supply system.

23 (b) Special drinking water resource-impacted communities.--
24 The Governor may establish alternative or incident-specific
25 drinking water standards and cleanup standards for impaired
26 surface or groundwater resources in a special drinking water
27 resource-impacted community. Standards established in accordance
28 with this section shall take effect immediately upon
29 establishment by the Governor and remain in effect for 24 months
30 or until such time as the Governor has rescinded or amended the

1 standard, the emergency condition and public health threat has
2 been abated or, with respect to drinking water resources, either
3 a final rulemaking is published by the Environmental Quality
4 Board establishing a maximum contaminant level for the substance
5 under provisions of the act of May 1, 1984 (P.L.206, No.43),
6 known as the Pennsylvania Safe Drinking Water Act or a final
7 rulemaking is published by the Environmental Protection Agency
8 establishing a maximum contaminant level.

9 (c) Grants.--Special drinking water resource-impacted
10 communities shall be eligible to receive PENNVEST grants of up
11 to \$???? per impacted water supply source. The grants may be
12 used to provide treatment to impacted public water supplies,
13 extension of water lines, booster stations, pressure management
14 equipment, interconnection of private water users to public
15 water supply systems and analytical sampling and to procure
16 alternative water supply resources.

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