

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1105 Session of 2019

INTRODUCED BY NELSON, TURZAI, KAUFER, MIHALEK, KAIL, FRITZ, TOOHIL, PUSKARIC, O'NEAL, GILLESPIE, GREINER, ROTHMAN, BERNSTINE, MOUL, B. MILLER, KAUFFMAN, CAUSER, ZIMMERMAN, OWLETT, SCHMITT, MILLARD, GLEIM, HERSHEY, GILLEN, STRUZZI, SCHEMEL, WALSH, EVERETT, RADER, SANKEY, WARNER, RYAN, DIAMOND, MARSHALL, PICKETT, ECKER, MASSER, HEFFLEY, DOWLING AND GABLER, APRIL 29, 2019

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, JUNE 24, 2019

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," in
11 miscellaneous provisions, further providing for permits and
12 other requirements.

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

15 Section 1. Section 902 of the act of May 19, 1995 (P.L.4,
16 No.2), known as the Land Recycling and Environmental Remediation
17 Standards Act, is amended by adding a subsection to read:

18 Section 902. Permits and other requirements.

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20 ~~(c) Consolidated standards permit. A person conducting~~

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~~1 remediation activities under this act may obtain a consolidated  
2 standards permit. A person who is issued a consolidated  
3 standards permit in connection with the remediation activities  
4 under this act is not required to obtain a permit, license, plan  
5 approval or other approval in connection with the activity under  
6 the act of June 22, 1937 (P.L.1987, No.394), known as The Clean  
7 Streams Law, the act of January 8, 1960 (1959 P.L.2119, No.787),  
8 known as the Air Pollution Control Act, the act of July 7, 1980  
9 (P.L.380, No.97), known as the Solid Waste Management Act, the  
10 act of July 13, 1988 (P.L.525, No.93), referred to as the  
11 Infectious and Chemotherapeutic Waste Law, or the act of July 6,  
12 1989 (P.L.169, No.32), known as the Storage Tank and Spill  
13 Prevention Act. A person who obtains a consolidated standards  
14 permit under this subsection is deemed to be in compliance with  
15 the requirement to obtain a permit, license, plan approval or  
16 other approval in connection with the activity under the  
17 applicable provisions of those acts and regulations. The  
18 department shall grant or deny a consolidated standards permit  
19 within 120 calendar days from its receipt of an application.~~

20 (C) CONSOLIDATED STANDARDS PERMIT.--A PERSON CONDUCTING <--  
21 REMEDIAATION ACTIVITIES UNDER THIS ACT MAY OBTAIN A CONSOLIDATED  
22 STANDARDS PERMIT. THE FOLLOWING SHALL APPLY:

23 (1) A PERSON WHO IS ISSUED A CONSOLIDATED STANDARDS  
24 PERMIT IN CONNECTION WITH THE REMEDIATION ACTIVITIES UNDER  
25 THIS ACT IS NOT REQUIRED TO OBTAIN A PERMIT, LICENSE, PLAN  
26 APPROVAL OR OTHER APPROVAL IN CONNECTION WITH THE ACTIVITY  
27 UNDER THE ACT OF JUNE 22, 1937 (P.L.1987, NO.394), KNOWN AS  
28 THE CLEAN STREAMS LAW, THE ACT OF JANUARY 8, 1960 (1959  
29 P.L.2119, NO.787), KNOWN AS THE AIR POLLUTION CONTROL ACT,  
30 THE ACT OF JULY 7, 1980 (P.L.380, NO.97), KNOWN AS THE SOLID

1 WASTE MANAGEMENT ACT, THE ACT OF JULY 13, 1988 (P.L.525,  
2 NO.93), REFERRED TO AS THE INFECTIOUS AND CHEMOTHERAPEUTIC  
3 WASTE LAW, THE ACT OF JULY 6, 1989 (P.L.169, NO.32), KNOWN AS  
4 THE STORAGE TANK AND SPILL PREVENTION ACT OR OTHER FEDERAL  
5 STATUTES RELATING TO ENVIRONMENTAL PROTECTION OR THE  
6 PROTECTION OF PUBLIC HEALTH. A PERSON WHO OBTAINS A  
7 CONSOLIDATED STANDARDS PERMIT UNDER THIS SUBSECTION IS DEEMED  
8 TO BE IN COMPLIANCE WITH THE REQUIREMENT TO OBTAIN A PERMIT,  
9 LICENSE, PLAN APPROVAL OR OTHER APPROVAL IN CONNECTION WITH  
10 THE ACTIVITY UNDER THE APPLICABLE PROVISIONS OF THOSE ACTS  
11 AND REGULATIONS.

12 (2) THE DEPARTMENT SHALL GRANT OR DENY A CONSOLIDATED  
13 STANDARDS PERMIT WITHIN 120 CALENDAR DAYS FROM ITS RECEIPT OF  
14 AN APPLICATION. THE DEPARTMENT MAY EXTEND THE REVIEW UNDER  
15 THIS PARAGRAPH TO COMPLY WITH REQUIRED FEDERAL NOTICE  
16 REQUIREMENTS.

17 (3) NO LATER THAN JANUARY 1 OF EACH YEAR, THE DEPARTMENT  
18 SHALL SUBMIT A REPORT TO THE ENVIRONMENTAL RESOURCES AND  
19 ENERGY COMMITTEE OF THE SENATE AND THE ENVIRONMENTAL  
20 RESOURCES AND ENERGY COMMITTEE OF THE HOUSE OF  
21 REPRESENTATIVES ON THE UTILIZATION OF THE CONSOLIDATED  
22 STANDARDS PERMIT.

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