
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1882 Session of
2021

INTRODUCED BY WARNER, BOBACK, BROOKS, R. BROWN, HAMM, JAMES,
JOZWIAK, KEEFER, MILLARD AND ZIMMERMAN, SEPTEMBER 20, 2021

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,
SEPTEMBER 20, 2021

AN ACT

1 Amending the act of November 26, 1978 (P.L.1375, No.325),
2 entitled "An act providing for the regulation and safety of
3 dams and reservoirs, water obstructions and encroachments;
4 consolidating and clarifying the programs of the Department
5 of Environmental Resources and Navigation Commission for the
6 Delaware River; establishing penalties and repealing certain
7 acts," providing for abandonment of dams.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. The act of November 26, 1978 (P.L.1375, No.325),
11 known as the Dam Safety and Encroachments Act, is amended by
12 adding a section to read:

13 Section 13.1. Abandonment of dams.

14 The department shall declare a dam abandoned if all of the
15 following apply:

16 (1) The dam no longer has the ability to impound or
17 store water or any other fluid or semifluid.

18 (2) The owner of the dam provides proof to the
19 department, in a manner determined by the department, that
20 the dam has been incapable of impounding or storing water or

1 any other fluid or semifluid for a duration of five years
2 immediately prior to the owner seeking a permit from the
3 department to abandon the dam.

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