
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1091 Session of
2017

INTRODUCED BY BENNINGHOFF, OBERLANDER, BAKER, BARRAR, BLOOM,
V. BROWN, CAUSER, COX, CUTLER, DIAMOND, DUSH, ELLIS, EVERETT,
FEE, GABLER, GILLEN, GODSHALL, GREINER, A. HARRIS, J. HARRIS,
HEFFLEY, IRVIN, JAMES, KAUFFMAN, KORTZ, MASSER, MENTZER,
MILLARD, B. MILLER, MUSTIO, NESBIT, ORTITAY, PICKETT, RAPP,
ROAE, ROTHMAN, RYAN, SACCONI, SANKEY, SAYLOR, SCHEMEL,
SCHLOSSBERG, SCHWEYER, SOLOMON, SONNEY, TOEPEL, WARD, WARNER,
WENTLING AND WHEELAND, APRIL 7, 2017

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,
APRIL 7, 2017

AN ACT

1 Amending the act of July 13, 1988 (P.L.530, No.94), entitled "An
2 act establishing the Environmental Hearing Board as an
3 independent, quasi-judicial agency; providing for the
4 membership and staff, the powers and duties, the seats and
5 the existing members of the board; transferring certain
6 funds; and making repeals," further providing for
7 definitions.

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

10 Section 1. Section 2 of the act of July 13, 1988 (P.L.530,
11 No.94), known as the Environmental Hearing Board Act, is amended
12 to read:

13 Section 2. Definitions.

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

17 "Board." The Environmental Hearing Board of the

1 Commonwealth.

2 "Decisions of the department." The issuance of an order,
3 permit, license or other official action of the department
4 authorizing or prohibiting an activity governed by a statute
5 administered or delegated to the department. The term includes
6 the failure of the department to take final action on a permit
7 application within the time period specified by a statute or
8 rulemaking, or the relevant time periods established under 4 Pa.
9 Code Ch. 7a Subch. H (relating to permit decision guarantee for
10 the Department of Environmental Protection).

11 "Department." The Department of Environmental [Resources]
12 Protection of the Commonwealth.

13 "Rules committee." The Environmental Hearing Board Rules
14 Committee established under section 5.

15 "Secretary." The Secretary of Environmental [Resources]
16 Protection of the Commonwealth.

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