

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 652 Session of 2023

INTRODUCED BY BULLOCK, KENYATTA, RABB, GUENST, PROBST, HILL- EVANS, SANCHEZ, PARKER, MADDEN, BURGOS, STURLA, SHUSTERMAN, KIM, KINKEAD, BENHAM, PISCIOTTANO, INNAMORATO, VITALI, O'MARA, WAXMAN, YOUNG, PIELLI, STEELE, N. NELSON, KRAJEWSKI, KINSEY, FIEDLER, CONKLIN, CEPEDA-FREYTIZ, KHAN, HOWARD, BRIGGS, OTTEN, FRANKEL, SALISBURY, KAZEEM, MAYES, DALEY, ISAACSON AND BOROWSKI, MARCH 21, 2023

AS REPORTED FROM COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 6, 2023

AN ACT

1 ~~Amending Title 27 (Environmental Resources) of the Pennsylvania~~ <--
2 ~~Consolidated Statutes, providing for issuance of permits in~~
3 ~~burdened communities.~~
4 AMENDING TITLE 27 (ENVIRONMENTAL RESOURCES) OF THE PENNSYLVANIA <--
5 CONSOLIDATED STATUTES, PROVIDING FOR ISSUANCE OF PERMITS IN
6 ENVIRONMENTAL JUSTICE AREAS.

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

9 ~~Section 1. Title 27 of the Pennsylvania Consolidated~~ <--
10 ~~Statutes is amended by adding a chapter to read:~~

CHAPTER 43

ISSUANCE OF PERMITS IN BURDENED COMMUNITIES

13 Sec.

14 4301. Definitions.

15 4302. Designation of burdened communities.

16 4303. Permit process.

17 4304. Regulations and publication.

1 ~~§ 4301. Definitions.~~

2 ~~The following words and phrases when used in this chapter~~
3 ~~shall have the meanings given to them in this section unless the~~
4 ~~context clearly indicates otherwise:~~

5 ~~"Burdened community." A census tract, as delineated in the~~
6 ~~most recent Federal decennial census, that is ranked in the~~
7 ~~bottom 33% of census tracts in this Commonwealth for median~~
8 ~~annual household income.~~

9 ~~"Cumulative impacts." An exposure, public health or~~
10 ~~environmental risk or other effect occurring in a specific~~
11 ~~geographical area, including from any environmental pollution~~
12 ~~emitted or released routinely, accidentally or otherwise, from~~
13 ~~any source, and assessed based on the combined past, present and~~
14 ~~reasonably foreseeable emissions and discharges affecting the~~
15 ~~geographical area.~~

16 ~~"Department." The Department of Environmental Protection of~~
17 ~~the Commonwealth.~~

18 ~~"Facility." Any of the following:~~

19 ~~(1) an electric generating facility with a capacity of~~
20 ~~more than 10 megawatts;~~

21 ~~(2) a resource recovery facility or incinerator;~~

22 ~~(3) a sludge combustor or incinerator;~~

23 ~~(4) a sewage treatment plant with a capacity of more~~
24 ~~than 50,000,000 gallons per day;~~

25 ~~(5) a transfer station, recycling center or other solid~~
26 ~~waste facility with a combined monthly volume in excess of 25~~
27 ~~tons;~~

28 ~~(6) a landfill, including, but not limited to, a~~
29 ~~landfill that accepts ash, construction or demolition debris~~
30 ~~or solid waste;~~

1 ~~(7) a medical waste incinerator; or~~

2 ~~(8) a major source of air pollution as defined in 42-~~
3 ~~U.S.C. § 7412 (relating to hazardous air pollutants).~~

4 ~~"Permit." A permit, registration or license issued by the~~
5 ~~department establishing the regulatory and management~~
6 ~~requirements for an ongoing regulated activity as authorized by~~
7 ~~Federal or State law.~~

8 ~~§ 4302. Designation of burdened communities.~~

9 ~~(a) List of burdened communities. No later than 120 days~~
10 ~~after the effective date of this section, the department, in~~
11 ~~consultation with the Secretary of the Commonwealth, shall adopt~~
12 ~~a list of burdened communities in this Commonwealth. The~~
13 ~~department shall update the list of burdened communities~~
14 ~~periodically as new data on median annual household income~~
15 ~~becomes available and after each Federal decennial census is~~
16 ~~officially reported as required by Federal law.~~

17 ~~(b) Representative of burdened community. No later than 60-~~
18 ~~days after a burdened community is designated under subsection~~
19 ~~(a), the governing body of a municipality in which a burdened~~
20 ~~community is located, in consultation with appropriate community~~
21 ~~groups, shall designate a representative of the burdened~~
22 ~~community.~~

23 ~~§ 4303. Permit process.~~

24 ~~(a) Granting of permits. Beginning 180 days after the~~
25 ~~effective date of this section, the department may not grant a~~
26 ~~permit for a new facility or for the expansion of an existing~~
27 ~~facility located in whole or in part in a burdened community~~
28 ~~unless the permit applicant first:~~

29 ~~(1) Prepares a report assessing the environmental impact~~
30 ~~of the proposed new facility or expansion of an existing~~

1 ~~facility, including cumulative impacts on the burdened~~
2 ~~community, adverse environmental effects that cannot be~~
3 ~~avoided should the permit be granted and the public health~~
4 ~~impact on the burdened community.~~

5 ~~(2) Transmits the report required to be prepared under~~
6 ~~paragraph (1) at least 30 days prior to the public hearing~~
7 ~~required under paragraph (3) to the department, the governing~~
8 ~~body and the clerk of the municipality in which the burdened~~
9 ~~community is located and the designated representative of the~~
10 ~~burdened community. The report shall be made available to the~~
11 ~~public at least 30 days prior to the public hearing required~~
12 ~~under paragraph (3).~~

13 ~~(3) Organizes and conducts a public hearing in a~~
14 ~~location as convenient as possible to all interested parties.~~
15 ~~The permit applicant shall publish public notices of the~~
16 ~~hearing in at least two newspapers circulating within the~~
17 ~~burdened community not less than 21 days prior to the~~
18 ~~hearing. At least 14 days prior to the date set for the~~
19 ~~hearing, a copy of the public notice shall be sent to the~~
20 ~~department, the governing body and the clerk of the~~
21 ~~municipality in which the burdened community is located and~~
22 ~~the designated representative of the burdened community.~~

23 ~~(b) Public hearing. At a public hearing, the permit~~
24 ~~applicant shall provide clear, accurate and complete information~~
25 ~~about the proposed new facility or expansion of an existing~~
26 ~~facility and the potential environmental and health impacts of~~
27 ~~the new or expanded facility. The hearing shall provide an~~
28 ~~opportunity for meaningful public participation by residents of~~
29 ~~the burdened community. Following the public hearing, the~~
30 ~~department shall consider the testimony presented and evaluate~~

1 ~~revisions or conditions to the permit that may be necessary to~~
2 ~~reduce the adverse impact to the public health or the~~
3 ~~environment in the burdened community.~~

4 ~~(c) Decision by department. The department may not issue a~~
5 ~~decision on the permit application until at least 60 days after~~
6 ~~a public hearing. Notwithstanding the provisions of any other~~
7 ~~law, the department may deny a permit application in a burdened~~
8 ~~community upon a finding that the approval of the permit would,~~
9 ~~together with the cumulative impacts posed by the existing~~
10 ~~conditions, including conditions resulting from permitted~~
11 ~~activities, constitute an unreasonable risk to the health of the~~
12 ~~residents and the environment of the burdened community. The~~
13 ~~following shall apply:~~

14 ~~(1) The department, when evaluating an application for a~~
15 ~~permit under this section, shall assess the community support~~
16 ~~for the proposed new facility or expansion of an existing~~
17 ~~facility as demonstrated through the public hearing conducted~~
18 ~~under subsection (b), letters of support for or opposition to~~
19 ~~the proposed new or expanded facility and any ordinance or~~
20 ~~resolution adopted by the governing body of the municipality~~
21 ~~in which the burdened community is located. The department~~
22 ~~shall consider community support or the lack of community~~
23 ~~support in the department's decision to grant or deny a~~
24 ~~permit.~~

25 ~~(2) If a permit applicant is applying for more than one~~
26 ~~permit for a proposed new facility or expansion of an~~
27 ~~existing facility, the permit applicant shall only be~~
28 ~~required to comply with the provisions of this section once,~~
29 ~~unless the department, in its discretion, determines that~~
30 ~~more than one public hearing is necessary due to the~~

~~complexity of the proposed new or expanded facility. Nothing
in this section shall be construed to limit the authority of
the department to hold or require additional public hearings
as may be required by any other law.~~

~~§ 4304. Regulations and publication.~~

~~(a) Promulgation. The department shall promulgate rules and
regulations to implement the provisions of this chapter.~~

~~(b) Publication of permits. The department shall publish
all permits granted under this chapter, along with any guidance
documents, on its publicly accessible Internet website.~~

~~Section 2. This act shall take effect immediately.~~

SECTION 1. TITLE 27 OF THE PENNSYLVANIA CONSOLIDATED
STATUTES IS AMENDED BY ADDING A CHAPTER TO READ:

CHAPTER 43

ISSUANCE OF PERMITS IN ENVIRONMENTAL JUSTICE AREAS

SEC.

4301. LEGISLATIVE FINDINGS AND PURPOSE.

4302. DEFINITIONS.

4303. DESIGNATION OF ENVIRONMENTAL JUSTICE AREAS.

4304. PERMIT PROCESS.

4305. REGULATIONS AND PUBLICATION.

§ 4301. LEGISLATIVE FINDINGS AND PURPOSE.

THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

(1) LOW-INCOME, LOW-WEALTH COMMUNITIES AND COMMUNITIES
OF COLOR HAVE HISTORICALLY BORNE AND CURRENTLY BEAR A
DISPROPORTIONATE SHARE OF ENVIRONMENTAL DEGRADATION.

(2) THE DEPARTMENT OF ENVIRONMENTAL PROTECTION IS THE
AGENCY CHARGED WITH ADMINISTERING THE LAWS AND REGULATIONS IN
THIS COMMONWEALTH TO PREVENT AND REMEDY ENVIRONMENTAL
DEGRADATION AND IS ONE OF THE AGENCIES CHARGED WITH

1 CONSERVING, MAINTAINING AND RESTORING THIS COMMONWEALTH'S
2 PUBLIC NATURAL RESOURCES.

3 (3) SECTION 27 OF ARTICLE I OF THE CONSTITUTION OF
4 PENNSYLVANIA RECOGNIZES THAT ALL THE PEOPLE OF PENNSYLVANIA
5 HAVE INALIENABLE ENVIRONMENTAL RIGHTS AND THAT THE
6 COMMONWEALTH GOVERNMENT IS THE TRUSTEE OF THE COMMONWEALTH'S
7 PUBLIC NATURAL RESOURCES.

8 (4) ALL INDIVIDUALS IN PENNSYLVANIA SHOULD BE ABLE TO
9 LIVE IN AND ENJOY A CLEAN AND HEALTHY ENVIRONMENT THAT
10 INCLUDES OUTDOOR SPACES, ACCESS TO CLEAN ENERGY RESOURCES,
11 ACCESS TO PUBLIC LANDS AND PUBLIC NATURAL RESOURCES.

12 (5) THE ELIMINATION AND RESTORATION OF DISPROPORTIONATE
13 ENVIRONMENTAL DEGRADATION IS RECOGNIZED AS BEING DIRECTLY
14 RELATED TO THE ECONOMIC VITALITY OF THIS COMMONWEALTH.

15 § 4302. DEFINITIONS.

16 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS CHAPTER
17 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
18 CONTEXT CLEARLY INDICATES OTHERWISE:

19 "CUMULATIVE ENVIRONMENTAL IMPACTS." THE TOTALITY OF EXISTING
20 AND IMMINENT ENVIRONMENTAL IMPACTS AND POLLUTION IN A DEFINED
21 GEOGRAPHIC AREA, TO LAND, WATERS OF THIS COMMONWEALTH OR AMBIENT
22 AIR, AND REGARDLESS OF WHETHER THE POLLUTION HAS BEEN AUTHORIZED
23 UNDER THE LAWS OF THIS COMMONWEALTH.

24 "DEPARTMENT." THE DEPARTMENT OF ENVIRONMENTAL PROTECTION OF
25 THE COMMONWEALTH.

26 "ENVIRONMENTAL JUSTICE AREA." A GEOGRAPHIC AREA
27 CHARACTERIZED BY INCREASED POLLUTION BURDEN AND VULNERABLE
28 POPULATIONS BASED ON DEMOGRAPHIC, ECONOMIC, HEALTH AND
29 ENVIRONMENTAL DATA.

30 "FACILITY." THE SITE OF ANY DEPARTMENT-REGULATED ACTIVITY

1 THAT MAY LEAD TO SIGNIFICANT PUBLIC CONCERN DUE TO POTENTIAL
2 IMPACTS ON HUMAN HEALTH AND THE ENVIRONMENT. THE TERM INCLUDES,
3 BUT SHALL NOT BE LIMITED TO, SITES THAT INVOLVE THE FOLLOWING:

4 (1) NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
5 (NPDES) PERMITS AT INDUSTRIAL WASTEWATER FACILITIES THAT
6 DISCHARGE AT OR ABOVE 50,000 GALLONS PER DAY.

7 (2) AIR PERMITS FOR ANY NEW MAJOR SOURCE OF HAZARDOUS
8 AIR POLLUTANTS OR CRITERIA POLLUTANTS.

9 (3) AIR PERMITS FOR ANY MAJOR MODIFICATION OF A MAJOR
10 SOURCE THAT ARE SUBJECT TO PREVENTION OF SIGNIFICANT
11 DETERIORATION OR NONATTAINMENT NEW SOURCE REVIEW.

12 (4) WASTE PERMITS INVOLVING A COMBINED MONTHLY VOLUME IN
13 EXCESS OF 25 TONS, OR ANY MAJOR MODIFICATION OF WASTE
14 PERMITS, INCLUDING CHANGES THAT RESULT IN AN INCREASE IN
15 CAPACITY OR A FACILITY EXPANSION, FOR LANDFILLS, COMMERCIAL
16 HAZARDOUS WASTE TREATMENT FACILITIES, STORAGE OR DISPOSAL
17 FACILITIES AND OTHER DISPOSAL FACILITIES, INCLUDING, BUT NOT
18 LIMITED TO, A LANDFILL THAT ACCEPTS ASH, CONSTRUCTION OR
19 DEMOLITION DEBRIS, MEDICAL WASTE OR SOLID WASTE, TRANSFER
20 STATIONS, RECYCLING CENTERS, COMMERCIAL INCINERATORS AND
21 OTHER WASTE PROCESSING FACILITIES.

22 (5) MINING PERMITS FOR BITUMINOUS AND ANTHRACITE
23 UNDERGROUND MINES, BITUMINOUS AND ANTHRACITE SURFACE MINES,
24 LARGE INDUSTRIAL MINERAL SURFACE AND UNDERGROUND MINES, COAL
25 REFUSE DISPOSAL, COAL REFUSE REPROCESSING, LARGE COAL
26 PREPARATION FACILITY OR ANY REVISION OF PERMITS UNDER THIS
27 PARAGRAPH THAT INVOLVE ADDITIONAL ACREAGE FOR MINERAL REMOVAL
28 OR USE OF BIOSOLIDS FOR RECLAMATION.

29 (6) AN INDIVIDUAL PERMIT FOR A LAND APPLICATION OF
30 BIOSOLIDS.

1 (7) CONCENTRATED ANIMAL FEEDING OPERATIONS THAT ARE NEW
2 OR EXPANDED OPERATIONS OF GREATER THAN 1,000 ANIMAL
3 EQUIVALENT UNITS (AEUS), CONCENTRATED ANIMAL OPERATION OF
4 GREATER THAN 300 AEUS IN A SPECIAL PROTECTION WATERSHED OR A
5 CONCENTRATED ANIMAL OPERATION WITH DIRECT DISCHARGE TO
6 SURFACE WATERS.

7 (8) AN ELECTRIC GENERATING FACILITY WITH A CAPACITY OF
8 MORE THAN 10 MEGAWATTS.

9 (9) A SEWAGE TREATMENT PLANT WITH A CAPACITY OF MORE
10 THAN 50,000,000 GALLONS PER DAY.

11 (10) UNDERGROUND INJECTION CONTROL WELLS ASSOCIATED WITH
12 OIL AND GAS DEVELOPMENT.

13 (11) OTHER FACILITIES AS DESIGNATED BY THE ENVIRONMENTAL
14 QUALITY BOARD THROUGH REGULATIONS UNDER THIS CHAPTER.

15 "PERMIT." A PERMIT, APPROVAL OF COVERAGE UNDER A GENERAL
16 PERMIT, REGISTRATION OR OTHER AUTHORIZATION ISSUED BY THE
17 DEPARTMENT ESTABLISHING THE REGULATORY AND MANAGEMENT
18 REQUIREMENTS FOR A REGULATED ACTIVITY AS AUTHORIZED BY FEDERAL
19 OR STATE LAW.

20 § 4303. DESIGNATION OF ENVIRONMENTAL JUSTICE AREAS.

21 (A) METHOD.--THE METHODS TO IDENTIFY AN ENVIRONMENTAL
22 JUSTICE AREA SHALL BE DETERMINED AND REGULARLY REVIEWED BY THE
23 DEPARTMENT.

24 (B) DESIGNATION.--NO LATER THAN 120 DAYS AFTER THE EFFECTIVE
25 DATE OF THIS SECTION, THE DEPARTMENT SHALL DESIGNATE AND MAKE
26 PUBLICLY AVAILABLE ENVIRONMENTAL JUSTICE AREAS IN THIS
27 COMMONWEALTH. THE DEPARTMENT SHALL UPDATE ENVIRONMENTAL JUSTICE
28 AREA DESIGNATION EVERY THREE YEARS.

29 § 4304. PERMIT PROCESS.

30 (A) DEPARTMENT ACTION ON PERMIT APPLICATIONS FOR FACILITIES

1 IN ENVIRONMENTAL JUSTICE AREAS.--BEGINNING 180 DAYS AFTER THE
2 EFFECTIVE DATE OF THIS SECTION, PRIOR TO THE DEPARTMENT TAKING
3 AN ACTION ON AN APPLICATION FOR A NEW FACILITY OR FOR THE
4 EXPANSION OF AN EXISTING FACILITY, LOCATED IN WHOLE OR IN PART
5 IN AN ENVIRONMENTAL JUSTICE AREA:

6 (1) THE PERMIT APPLICANT MUST PREPARE AND SUBMIT WITH
7 THE APPLICATION FOR FACILITY PERMIT OR OTHER AUTHORIZATION, A
8 CUMULATIVE ENVIRONMENTAL IMPACT REPORT ASSESSING THE
9 ENVIRONMENTAL IMPACT OF THE PROPOSED NEW FACILITY OR
10 EXPANSION OF AN EXISTING FACILITY, TOGETHER WITH THE
11 CUMULATIVE IMPACTS ON THE ENVIRONMENTAL JUSTICE AREA, AND THE
12 ADVERSE ENVIRONMENTAL EFFECTS THAT CANNOT BE AVOIDED OR
13 MITIGATED SHOULD THE PERMIT BE GRANTED.

14 (2) UNLESS A PUBLIC HEARING IS OTHERWISE REQUIRED BY THE
15 ENVIRONMENTAL LAWS AND REGULATIONS FOR THE PERMIT OR
16 AUTHORIZATION:

17 (I) THE DEPARTMENT MUST ORGANIZE AND CONDUCT A
18 PUBLIC HEARING IN A LOCATION AS CONVENIENT AS POSSIBLE TO
19 ALL INTERESTED PARTIES AND PUBLISH PUBLIC NOTICES OF THE
20 HEARING IN AT LEAST TWO NEWSPAPERS CIRCULATING WITHIN THE
21 ENVIRONMENTAL JUSTICE AREA AND ON THE DEPARTMENT'S
22 PUBLICLY ACCESSIBLE INTERNET WEBSITE NOT LESS THAN 21
23 DAYS PRIOR TO THE HEARING.

24 (II) AT LEAST 14 DAYS PRIOR TO THE DATE SET FOR THE
25 HEARING, A COPY OF THE PUBLIC NOTICE SHALL BE SENT TO THE
26 CLERK OF THE MUNICIPALITY IN WHICH THE ENVIRONMENTAL
27 JUSTICE AREA IS LOCATED.

28 (III) AT A PUBLIC HEARING, THE PERMIT APPLICANT
29 SHALL PROVIDE CLEAR, ACCURATE AND COMPLETE INFORMATION
30 ABOUT THE PROPOSED NEW FACILITY OR EXPANSION OF AN

1 EXISTING FACILITY AND THE POTENTIAL ENVIRONMENTAL AND
2 HEALTH IMPACTS OF THE NEW OR EXPANDED FACILITY. THE
3 HEARING SHALL PROVIDE AN OPPORTUNITY FOR MEANINGFUL
4 PUBLIC PARTICIPATION BY RESIDENTS OF THE ENVIRONMENTAL
5 JUSTICE AREA.

6 (IV) FOLLOWING THE PUBLIC HEARING, THE DEPARTMENT
7 SHALL CONSIDER THE TESTIMONY PRESENTED AND EVALUATE
8 REVISIONS OR CONDITIONS TO THE PERMIT THAT MAY BE
9 NECESSARY TO REDUCE THE ADVERSE IMPACT TO THE PUBLIC
10 HEALTH OR THE ENVIRONMENT IN THE ENVIRONMENTAL JUSTICE
11 AREA.

12 (B) DECISION BY DEPARTMENT.--THE DEPARTMENT MAY NOT ISSUE A
13 DECISION ON THE PERMIT APPLICATION UNTIL AT LEAST 60 DAYS AFTER
14 A PUBLIC HEARING.

15 (C) ADDITIONAL REQUIREMENTS.--NOTWITHSTANDING THE PROVISIONS
16 OF ANY OTHER LAW, THE DEPARTMENT MAY REQUIRE ADDITIONAL
17 CONDITIONS OR MITIGATION MEASURES OR MAY DENY A PERMIT
18 APPLICATION IN AN ENVIRONMENTAL JUSTICE AREA BASED ON THE
19 CUMULATIVE ENVIRONMENTAL IMPACTS.

20 (D) PUBLICATION.--THE APPLICANT SHALL PROVIDE COPIES OF
21 APPLICATIONS FOR A PERMIT FOR A FACILITY LOCATED IN WHOLE OR IN
22 PART IN AN ENVIRONMENTAL JUSTICE AREA TO THE CLERK OF THE
23 MUNICIPALITY IN WHICH THE ENVIRONMENTAL JUSTICE AREA IS LOCATED,
24 WHO MAY RECOMMEND TO THE DEPARTMENT CONDITIONS UPON, REVISIONS
25 TO OR DISAPPROVAL OF THE PERMIT ONLY IF SPECIFIC CAUSE IS
26 IDENTIFIED. IF THE DEPARTMENT OVERRIDES A MUNICIPAL
27 RECOMMENDATION, THE DEPARTMENT SHALL BE REQUIRED TO TRANSMIT
28 NOTICE TO THE LEGISLATIVE REFERENCE BUREAU FOR PUBLICATION IN
29 THE NEXT AVAILABLE ISSUE OF THE PENNSYLVANIA BULLETIN THE
30 DEPARTMENT'S JUSTIFICATION FOR OVERRIDING THE MUNICIPALITY'S

1 RECOMMENDATIONS. IF THE DEPARTMENT DOES NOT RECEIVE COMMENTS
2 WITHIN 60 DAYS OF RECEIPT OF THE APPLICATIONS FROM THE PERMIT
3 APPLICANT BY THE CLERK OF THE MUNICIPALITY, THE MUNICIPALITY
4 SHALL BE DEEMED TO HAVE WAIVED THE MUNICIPALITY'S RIGHT TO
5 REVIEW.

6 (E) CONSTRUCTION.--THE PROVISIONS OF THIS SECTION SHALL BE
7 IN ADDITION TO ALL REQUIREMENTS UNDER ANY APPLICABLE
8 ENVIRONMENTAL LAW.

9 § 4305. REGULATIONS AND PUBLICATION.

10 (A) PROMULGATION.--THE DEPARTMENT AND ENVIRONMENTAL QUALITY
11 BOARD SHALL PROMULGATE RULES AND REGULATIONS TO IMPLEMENT THE
12 PROVISIONS OF THIS CHAPTER.

13 (B) PUBLICATION OF PERMITS.--IN ADDITION TO PUBLICATION
14 REQUIREMENTS UNDER LAW AND REGULATION, THE DEPARTMENT SHALL
15 PUBLISH ALL PERMITS GRANTED UNDER THIS CHAPTER, ALONG WITH ANY
16 GUIDANCE DOCUMENTS, ON ITS PUBLICLY ACCESSIBLE INTERNET WEBSITE.

17 SECTION 2. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.