
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 829 Session of
2019

INTRODUCED BY FRITZ, PICKETT, IRVIN, ROTHMAN, RYAN, BERNSTINE,
OBERLANDER, BARRAR, KAUFER, MOUL, ZIMMERMAN, MILLARD, GROVE,
OWLETT, EMRICK, HILL-EVANS, KEEFER AND NEILSON,
MARCH 14, 2019

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,
MARCH 14, 2019

AN ACT

1 Amending the act of July 7, 1961 (P.L.518, No.268), entitled "An
2 act to create a regional agency by intergovernmental compact
3 for the planning, conservation, utilization, development,
4 management and control of the water and related natural
5 resources of the Delaware River Basin, for the improvement of
6 navigation, reduction of flood damage, regulation of water
7 quality, control of pollution, development of water supply,
8 hydroelectric energy, fish and wildlife habitat and public
9 recreational facilities, and other purposes, and defining the
10 functions, powers and duties of such agency," in pollution
11 control, further providing for enforcement; and, in general
12 provisions, further providing for effect on riparian rights.

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

15 Section 1. Sections 5.4 of Article 5 and 14.19 of Article 14
16 in Part I of section 1 of the act of July 7, 1961 (P.L.518,
17 No.268), known as the Delaware River Basin Compact, are amended
18 to read:

19 Section 1. The Commonwealth of Pennsylvania hereby solemnly
20 covenants and agrees with the states of Delaware, New Jersey and
21 New York and the United States of America, upon the enactment of

1 concurrent legislation by the Congress of the United States and
2 by the respective state legislatures, as follows:

3 PART I.

4 COMPACT

5 * * *

6 ARTICLE 5

7 POLLUTION CONTROL

8 * * *

9 Section 5.4. Enforcement. [The] Except for matters relating
10 to on-lot septic systems, the commission may, after
11 investigation and hearing, issue an order or orders upon any
12 person or public or private corporation, or other entity, to
13 cease the discharge of sewage, industrial or other waste into
14 waters of the basin which it determines to be in violation of
15 such rules and regulations as it shall have adopted for the
16 prevention and abatement of pollution. Any such order or orders
17 may prescribe the date, including a reasonable time for the
18 construction of any necessary works, on or before which such
19 discharge shall be wholly or partially discontinued, modified or
20 treated, or otherwise conformed to the requirements of such
21 rules and regulations. Such order shall be reviewable in any
22 court of competent jurisdiction. The courts of the signatory
23 parties shall have jurisdiction to enforce against any person,
24 public or private corporation, or other entity, any and all
25 provisions of this article or of any such order. The commission
26 may bring an action in its own name in any such court of
27 competent jurisdiction to compel compliance with any provision
28 of this article, or any rule or regulation issued pursuant
29 thereto or of any such order, according to the practice and
30 procedure of the court. In matters relating to on-lot septic

1 systems, the commission may report its investigation findings to
2 the water pollution abatement agencies of the signatory parties.

3 * * *

4 ARTICLE 14

5 GENERAL PROVISIONS

6 * * *

7 Section 14.19. Effect on Riparian Rights or On-Lot Septic
8 Systems. Nothing contained in this compact shall be construed as
9 affecting or intending to affect or in any way to interfere with
10 the law of the respective signatory parties relating to riparian
11 rights or on-lot septic systems.

12 * * *

13 Section 2. The Secretary of the Commonwealth shall cause
14 publication of a notice in the Pennsylvania Bulletin upon
15 enactment of legislation having an identical effect as section 1
16 of this act by the Congress of the United States and the states
17 of Delaware, New Jersey and New York.

18 Section 3. This act shall take effect as follows:

19 (1) Section 1 of this act shall take effect upon
20 publication of the notice required by section 2 of this act.

21 (2) The remainder of this act shall take effect
22 immediately.