
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 994 Session of
2015

INTRODUCED BY DINNIMAN, SEPTEMBER 21, 2015

REFERRED TO ENVIRONMENTAL RESOURCES AND ENERGY,
SEPTEMBER 21, 2015

AN ACT

1 Amending the act of July 17, 1968 (P.L.368, No.181), entitled
2 "An act creating a regional intergovernmental compact agency
3 for the planning, conservation, utilization, development,
4 management and control of water and related natural resources
5 of the Susquehanna river basin, for the improvement of
6 navigation, preservation of amenities, reduction of flood
7 damage, regulation of water quality, control of pollution,
8 development of water supply, hydroelectric energy, fish and
9 wildlife habitat and public recreational facilities, and
10 other purposes, and defining the functions, powers and duties
11 of such agency; providing for the relation of such regional
12 agency to other agencies of and in the state government; and
13 for related purposes," further providing for definitions and
14 for standards.

15 The General Assembly of the Commonwealth of Pennsylvania
16 hereby enacts as follows:

17 Section 1. Section 1.2 of act of July 17, 1968 (P.L.368,
18 No.181), referred to as the Susquehanna River Basin Compact Law,
19 is amended by adding a definition to read:

20 1.2.--Definitions. For the purposes of this compact, and of
21 any supplemental or concurring legislation enacted pursuant to
22 it:

23 * * *

24 13. "Local water resources authority" shall mean a water

1 resources authority established by a county, township, city,
2 borough or town that employs water resource engineers who are
3 certified by the participating state or who meet the same
4 requirements for certification as established by the
5 participating state.

6 Section 2. Section 11.5 of the act is amended to read:

7 11.5.--Standards.

8 (a) Permits shall be granted, modified, or denied, as the
9 case may be, to avoid such depletion of the natural stream flows
10 and ground waters in the protected area or in an emergency area
11 as will adversely affect the comprehensive plan or the just and
12 equitable interests and rights of other lawful users of the same
13 source, giving due regard to the need to balance and reconcile
14 alternative and conflicting uses in the event of an actual or
15 threatened shortage of water of the quality required.

16 (b) This section requires the following:

17 1. Due consideration of the potential impact of the
18 withdrawal of water from a naturally occurring aquifer under a
19 proposed permit shall be conducted.

20 2. Notification within forty-eight hours of the granting of
21 a water withdrawal permit provided to the following by the
22 agency of the participating state responsible for the permitting
23 process within the participating state:

24 (i) Local water resource authority for the area affected by
25 the permit.

26 (ii) County commissioners for the county affected by the
27 permit.

28 (iii) Township supervisors for the township affected by the
29 permit.

30 (iv) Legislators for the participating state who represent

1 the state legislative districts affected by the permit.

2 3. (i) Deference shall be given to an evaluation on the
3 potential adverse impact of proposed water withdrawal under a
4 proposed permit that was prepared by the local water resources
5 authority when evaluating the potential impact of the proposed
6 water withdrawal on natural stream flows, ground waters and
7 naturally occurring aquifers.

8 (ii) The right of first refusal for conducting tests to
9 evaluate the potential adverse impact of the proposed water
10 withdrawal under a proposed permit shall be given to the local
11 water resources authority for the area potentially affected by
12 the proposed water withdrawal, where either the commission or
13 the administrative agency for the signatory state or
14 commonwealth elects to outsource the performance of the tests to
15 a third party.

16 4. A private entity that as a result of water withdrawal
17 from a naturally occurring aquifer for purpose of resale causes
18 an existing water well located within the boundaries of the
19 naturally occurring aquifer to become dry shall be responsible
20 for establishing a new water well.

21 Section 3. This act shall take effect in 60 days.