

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1386 Session of 2012

INTRODUCED BY VOGEL, SOLOBAY, SCARNATI, PILEGGI, COSTA, ALLOWAY, ARGALL, BAKER, BLAKE, BOSCOLA, BREWSTER, DINNIMAN, EICHELBERGER, ERICKSON, FARNESE, FERLO, FOLMER, FONTANA, HUGHES, KASUNIC, KITCHEN, LEACH, MENSCH, SCHWANK, ORIE, PIPPY, RAFFERTY, ROBBINS, SMUCKER, STACK, TARTAGLIONE, VANCE, WARD, WASHINGTON, WAUGH, D. WHITE, WILLIAMS, WOZNIAK, YAW AND YUDICHAK, JANUARY 26, 2012

REFERRED TO ENVIRONMENTAL RESOURCES AND ENERGY, JANUARY 26, 2012

AN ACT

1 Amending the act of January 8, 1960 (1959 P.L.2119, No.787),
 2 entitled, as amended, "An act to provide for the better
 3 protection of the health, general welfare and property of the
 4 people of the Commonwealth by the control, abatement,
 5 reduction and prevention of the pollution of the air by
 6 smokes, dusts, fumes, gases, odors, mists, vapors, pollens
 7 and similar matter, or any combination thereof; imposing
 8 certain powers and duties on the Department of Environmental
 9 Resources, the Environmental Quality Board and the
 10 Environmental Hearing Board; establishing procedures for the
 11 protection of health and public safety during emergency
 12 conditions; creating a stationary air contamination source
 13 permit system; providing additional remedies for abating air
 14 pollution; reserving powers to local political subdivisions,
 15 and defining the relationship between this act and the
 16 ordinances, resolutions and regulations of counties, cities,
 17 boroughs, towns and townships; imposing penalties for
 18 violation of this act; and providing for the power to enjoin
 19 violations of this act; and conferring upon persons aggrieved
 20 certain rights and remedies," further providing for
 21 Environmental Quality Board; and repealing control of
 22 volatile organic compounds from gasoline-dispensing
 23 facilities.

24 The General Assembly of the Commonwealth of Pennsylvania

25 hereby enacts as follows:

26 Section 1. Section 5(a) of the act of January 8, 1960 (1959

1 P.L.2119, No.787), known as the Air Pollution Control Act, is
2 amended by adding a paragraph to read:

3 Section 5. Environmental Quality Board.--(a) The board
4 shall have the power and its duty shall be to--

5 * * *

6 (14) Repeal 25 Pa. Code Ch. 126 Subch. C (relating to
7 gasoline volatility requirements).

8 * * *

9 Section 2. Section 6.7 of the act, added July 9, 1992
10 (P.L.460, No.95) and repealed in part November 26, 1997
11 (P.L.530, No.67), is repealed:

12 [Section 6.7. Control of Volatile Organic Compounds from
13 Gasoline-Dispensing Facilities.--

14 (h) The department shall implement the functional testing
15 and certification requirements specified in EPA's Stage II
16 enforcement and technical guidance documents developed under
17 section 182 of the Clean Air Act to meet the Clean Air Act
18 requirements for areas classified as moderate, serious, severe
19 or extreme ozone nonattainment.]

20 Section 3. This act shall take effect immediately.