

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1104 Session of 2019

INTRODUCED BY TOOHL, TURZAI, KAUFER, MIHALEK, KAIL, FRITZ, NELSON, PUSKARIC, O'NEAL, GILLESPIE, GREINER, ROTHMAN, BERNSTINE, MOUL, B. MILLER, KAUFFMAN, CAUSER, ZIMMERMAN, OWLETT, SCHMITT, MILLARD, GLEIM, HERSHEY, GILLEN, STRUZZI, WALSH, EVERETT, RADER, SANKEY, WARNER, RYAN, DIAMOND, MARSHALL, PICKETT, ECKER, SAYLOR, MASSER, HEFFLEY, DOWLING, GABLER AND TOBASH, APRIL 29, 2019

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, SEPTEMBER 24, 2019

AN ACT

1 Amending Title 27 (Environmental Resources) of the Pennsylvania
2 Consolidated Statutes, in preliminary provisions, providing
3 for Abandoned Manufacturing Sites Registry.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Title 27 of the Pennsylvania Consolidated
7 Statutes is amended by adding a chapter to read:

8 CHAPTER 9

9 ABANDONED MANUFACTURING SITES

10 Subchapter

11 A. Abandoned Manufacturing Sites Registry

12 B. (Reserved)

13 SUBCHAPTER A

14 ABANDONED MANUFACTURING SITES REGISTRY

15 Sec.

- 1 901. Scope of subchapter.
- 2 902. Definitions.
- 3 903. Abandoned Manufacturing Sites Registry.
- 4 904. Departmental duties.
- 5 905. Fees prohibited.

6 § 901. Scope of subchapter.

7 This subchapter relates to the Abandoned Manufacturing Sites
8 Registry.

9 § 902. Definitions.

10 The following words and phrases when used in this chapter
11 shall have the meanings given to them in this section unless the
12 context clearly indicates otherwise:

13 "Abandoned manufacturing site." Real property:

14 (1) The expansion, redevelopment or reuse of which may
15 involve remediation to contain, neutralize or remove a
16 hazardous substance, pollutant or contaminant resulting from
17 previous use of the property.

18 (2) That has been abandoned and the property owner has
19 given up dominion or that is vacant.

20 (3) That may be listed as a brownfield site in the Small
21 Business Liability Relief and Brownfields Revitalization Act
22 (Public Law 107-118, 115 Stat. 2356), or involved in
23 remediation under the act of May 19, 1995 (P.L.4, No.2),
24 known as the Land Recycling and Environmental Remediation
25 Standards Act.

26 (4) Located in an economic cluster, including one of the
27 following energy-driven sectors:

- 28 (i) petrochemicals;
- 29 (ii) advanced materials; or
- 30 (iii) data-driven manufacturing.

1 (5) For which cleaning up and reinvesting may improve
2 the environment, reduce blight and remove development
3 pressures on green spaces.

4 "ADVANCED MATERIALS." MANUFACTURING SEGMENTS SUCH AS GLASS, <--
5 CEMENT, STEEL, ALUMINUM, ADVANCED GLASS AND FIBER COMPONENTS FOR
6 ELECTRONICS AND CONSUMER MEDIA DEVICES AND ADVANCED CONSTRUCTION
7 MATERIALS SUCH AS LIGHTWEIGHT CONCRETE, RECYCLED PLASTICS, HIGH-
8 STRENGTH METALS AND NANOFIBERS.

9 "DATA-DRIVEN MANUFACTURING." THE USE OF ANALYTICS, AI AND
10 ROBOTICS FOR DATA CENTERS AND FABRICATED MATERIALS, COMPONENTS
11 AND ADDITIVE MATERIALS MANUFACTURING.

12 "Department." The Department of Community and Economic
13 Development of the Commonwealth.

14 "Registry." The Abandoned Manufacturing Sites Registry
15 established in this chapter.

16 § 903. Abandoned Manufacturing Sites Registry.

17 (a) Establishment.--The Abandoned Manufacturing Sites
18 Registry is established. The department, OR A THIRD-PARTY ENTITY <--
19 WITH WHICH THE DEPARTMENT HAS AN AGREEMENT, shall ~~implement and~~ <--
20 administer the registry in accordance with this chapter.

21 (b) Purpose.--The registry shall contain a list of abandoned
22 manufacturing sites.

23 (c) Information included.--The registry shall include the
24 following information for each abandoned manufacturing site:

25 (1) The name and contact information of the current
26 owner of the abandoned manufacturing site.

27 (2) The legal description of the abandoned manufacturing
28 site.

29 (3) A current description of the condition of the real
30 property and a note as to whether the property is a

1 brownfield site as defined in the Small Business Liability
2 Relief and Brownfields Revitalization Act (Public Law 107-
3 118, 115 Stat. 2356), or involved in the act of May 19, 1995
4 (P.L.4, No.2), known as the Land Recycling and Environmental
5 Remediation Standards Act.

6 (D) REQUIREMENT.--ALL ABANDONED MANUFACTURING SITES OWNED BY <--
7 THE COMMONWEALTH OR A POLITICAL SUBDIVISION SHALL BE LISTED ON
8 THE REGISTRY WITHIN 60 DAYS OF VACANCY.

9 (E) REPORT.--ON OR BEFORE THE SECOND MARCH 30 OF THE
10 EFFECTIVE DATE OF THIS SECTION, AND EVERY SUBSEQUENT MARCH 30
11 THEREAFTER, THE DEPARTMENT SHALL SUBMIT A REPORT TO THE
12 CHAIRPERSON AND MINORITY CHAIRPERSON OF THE COMMUNITY, ECONOMIC
13 AND RECREATIONAL DEVELOPMENT COMMITTEE OF THE SENATE, THE
14 CHAIRPERSON AND MINORITY CHAIRPERSON OF THE COMMERCE COMMITTEE
15 OF THE HOUSE OF REPRESENTATIVES TO INCLUDE, BUT NOT BE LIMITED
16 TO:

17 (1) THE NUMBER OF PROPERTIES, BY COUNTY, ON THE REGISTRY
18 DURING THE PREVIOUS YEAR;

19 (2) THE NUMBER OF TIMES THE REGISTRY HAS BEEN ACCESSED
20 IN THE PREVIOUS YEAR;

21 (3) ANY PERCEIVED ACHIEVEMENTS DURING THE PRIOR YEAR;

22 (4) THE PLANS FOR THE UPCOMING YEAR TO IMPROVE PROCESSES
23 AND PROCEDURES; AND

24 (5) ANY DIFFICULTIES IN THE ADMINISTRATION OF THE
25 REGISTRY EXPERIENCED.

26 § 904. Departmental duties.

27 The department shall:

28 (1) ESTABLISH INFORMATION SHARING PROCEDURES FOR LOCAL <--
29 GOVERNMENTS, REGIONAL CHAMBERS OF COMMERCE, LOCAL ECONOMIC
30 DEVELOPMENT ENTITIES AND OTHER RELEVANT ORGANIZATIONS TO

1 OBTAIN NECESSARY INFORMATION AS OUTLINED IN SECTION 903
2 (RELATING TO ABANDONED MANUFACTURING SITES REGISTRY).

3 ~~(1)~~ (2) Establish procedures for the completeness and <--
4 accuracy of information in the registry.

5 ~~(2)~~ (3) Keep an updated registry database on the <--
6 department's publicly accessible Internet website. The
7 registry shall be clearly defined on and easily navigable
8 from the department's publicly accessible Internet website.

9 ~~(3) Promulgate regulations necessary to carry out the~~ <--
10 department's duty to maintain the registry.

11 § 905. Fees prohibited.

12 The department may not assess a fee for the dissemination of
13 registry information to Internet users.

14 SUBCHAPTER B

15 (Reserved)

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