

No. 279

AN ACT

HB 2406

Amending the act of January 8, 1960 (1959 P.L.2119, No.787), entitled, as amended, "An act to provide for the better protection of the health, general welfare and property of the people of the Commonwealth by the control, abatement, reduction and prevention of the pollution of the air by smokes, dusts, fumes, gases, odors, mists, vapors, pollens and similar matter, or any combination thereof; imposing certain powers and duties on the Department of Environmental Resources, the Environmental Quality Board and the Environmental Hearing Board; establishing procedures for the protection of health and public safety during emergency conditions; creating a stationary air contamination source permit system; providing additional remedies for abating air pollution; reserving powers to local political subdivisions, and defining the relationship between this act and the ordinances, resolutions and regulations of counties, cities, boroughs, towns and townships; imposing penalties for violation of this act; and providing for the power to enjoin violations of this act; and conferring upon persons aggrieved certain rights and remedies," exempting the production of agricultural commodities in their unmanufactured state from the provisions of the act.

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

Section 1. The act of January 8, 1960 (1959 P.L.2119, No.787), known as the "Air Pollution Control Act," is amended by adding a section to read:

Section 4.1. Agricultural Regulations Prohibited.—The Environmental Quality Board shall not have the power nor the authority to adopt rules and regulations relating to air contaminants and air pollution arising from the production of agricultural commodities in their unmanufactured state but shall not include the use of materials produced or manufactured off the premises of the farm operation.

Section 2. This act shall take effect immediately.

APPROVED—The 2nd day of December, A. D. 1976.

MILTON J. SHAPP