



House Environmental and Natural Resource Protection Committee

Meeting Agenda

Monday, March 23rd, 2026

10:00am – 11:00am

515 Irvis Office Building

Call to Order

Roll Call

HB 289 ; PN 234 (Briggs) – Establishes requirements for radon testing and mitigation in schools.

A02653 (Vitali) – Gut and replace omnibus amendment to provide funding, remove nonpublic schools and update reporting requirements.

HB 2161 ; PN 2804 (Salisbury) – Requires public utilities to replace trees if requested by a municipality.

HB 2229 ; PN 2922 (Mako) – Provides for spill notification requirements by DEP to municipalities.

HB 2246 ; PN 2937 (Webster) – Provides for water withdrawal oversight for data centers.

Any other business before the committee

Adjournment



Environmental & Natural Resource Protection Committee

State Representative Greg Vitali
Democratic Chairman

30 East Wing • PO Box 202166 • Harrisburg, PA 17120-2166 • (717) 787-7647 • Fax: (717) 705-2089
1001 Darby Road • Havertown, PA 19083 • (610) 789-3900 • Toll-Free: (833) 787-5131 • Fax: (215) 560-4197

MEMORANDUM

DATE: 3/16/2026
TO: House Environmental and Natural Resource Protection Committee Members
FROM: Representative Greg Vitali, Majority Chairman
House Environmental and Natural Resource Protection Committee
RE: Environmental and Natural Resource Protection Committee Voting Meeting –
Monday, March 23rd, 2026

The House Environmental and Natural Resource Protection Committee will hold a voting meeting on **Monday, March 23rd, 2026, at 10:00am in 515 Irvis Office Building.**

The purpose of this voting meeting will be to consider the following legislation and any other business that may come before the committee.

- [HB 289 ; PN 234 \(Briggs\)](#) - Establishes requirements for radon testing and mitigation in schools.
- [HB 2161 ; PN 2804 \(Salisbury\)](#) – Requires public utilities to replace trees on public property if requested by a municipality.
- [HB 2229 ; PN 2922 \(Mako\)](#) – Provides for spill notification requirements by DEP to municipalities.
- [HB 2246 ; PN 2937 \(Webster\)](#) – Provides for water withdrawal oversight for data centers.

Please contact Hayley Shupe at 717-787-7647 or hshupe@pahouse.net with any questions. If you are unable to attend this meeting, please submit an Official Vote by Designation Form prior to the start of the meeting.

Thank you,

GV/hs

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 289 Session of
2025

INTRODUCED BY BRIGGS, ORTITAY, GIRAL, HILL-EVANS, PIELLI,
HADDOCK, FREEMAN, McNEILL, SANCHEZ, KUZMA, DONAHUE,
SCHLOSSBERG, NEILSON, CIRESI, FIEDLER, SHUSTERMAN, DEASY,
GREEN, CEPEDA-FREYTIZ AND CERRATO, JANUARY 23, 2025

REFERRED TO COMMITTEE ON ENVIRONMENTAL AND NATURAL RESOURCE
PROTECTION, JANUARY 23, 2025

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," in grounds and buildings, providing
6 for radon testing.

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

9 Section 1. The act of March 10, 1949 (P.L.30, No.14), known
10 as the Public School Code of 1949, is amended by adding a
11 section to read:

12 Section 743. Radon Testing.--(a) Beginning in the 2026-2027
13 school year and thereafter as provided under this section:

14 (1) Each existing school building shall be tested for radon
15 gas.

16 (2) If the test result is at least four (4) picocuries per
17 liter of air, the school building shall be mitigated and
18 retested until the radon levels are less than four (4)

1 picocuries per liter of air.

2 (b) The following shall apply to the initial testing of a
3 school building's radon gas levels:

4 (1) The initial testing of a school building's radon gas
5 levels shall occur within one (1) year of the effective date of
6 this clause or within one year of completion of the building's
7 construction, whichever is later.

8 (2) If the testing of a school building's radon gas levels
9 does not identify any radon gas levels at or above four (4)
10 picocuries per liter of air, the school building must be
11 retested every five (5) years or when the school building
12 receives major structural, foundational or HVAC renovations or
13 repairs, whichever is sooner.

14 (3) If the testing of a school building's radon gas levels
15 identifies any radon gas levels at or above four (4) picocuries
16 per liter of air, the school building must be retested every two
17 (2) years.

18 (c) Radon gas testing shall be performed in accordance with
19 the version of ANSI-AARST MA-MFLB Protocol for Conducting
20 Measurements of Radon and Radon Decay Products in Multifamily,
21 School, Commercial and Mixed-Use Buildings in effect on the
22 effective date of this subsection.

23 (d) Radon gas testing shall be performed by an individual
24 who is certified under the act of July 9, 1987 (P.L.238, No.43),
25 known as the "Radon Certification Act."

26 (e) The following shall apply to radon gas mitigation:

27 (1) If radon gas testing results for a room or occupied area
28 in a school building indicate that the radon level is at least
29 four (4) picocuries per liter of air, the school building shall
30 be mitigated and retested until the radon levels are less than

1 four (4) picocuries per liter of air.

2 (2) Radon gas mitigation shall be performed by an individual
3 who is certified under the "Radon Certification Act" by the
4 Department of Environmental Protection. Retesting of mitigated
5 buildings shall be performed as provided under clause (1) and
6 every two (2) years thereafter by an individual who is certified
7 under the "Radon Certification Act" by the Department of
8 Environmental Protection.

9 (3) Operation, maintenance and monitoring of the radon gas
10 mitigation system shall comply with the radon mitigation
11 standards provided under the current version of the ANSI-AARST
12 SGM-MFLB Soil Gas Mitigation Standards for Existing Multifamily,
13 School, Commercial and Mixed-Use Buildings in effect on the
14 effective date of this clause.

15 (4) Radon gas mitigation system installations shall be
16 completed within six (6) months of confirmatory radon gas
17 testing.

18 (f) Initial radon testing results, mitigation plans and
19 radon testing results conducted after radon mitigation shall be
20 reported within sixty (60) days after the information has been
21 received by the school entity as follows:

22 (1) By presentation to the governing body of a school entity
23 at a public meeting of the governing body of a school entity.

24 (2) By communication by the governing body of a school
25 entity to the parents' organization, if one exists.

26 (3) By communication by the governing body of a school
27 entity to the teachers' union or other employe organization.

28 (4) By posting on the school district's publicly accessible
29 Internet website and social media.

30 (5) By submitting a report to the Radon Division of the

1 Bureau of Radiation Protection of the Department of
2 Environmental Protection, the State Board of Education, the
3 Department of Education and the county health department.

4 (g) Each new school building shall be built using radon-
5 resistant new construction techniques according to the version
6 of the ANSI-AARST CC-1000: Soil Gas Control Systems in New
7 Construction of Buildings in effect on the effective date of
8 this subsection.

9 (h) As used in this section, the following words and phrases
10 shall have the meanings given to them in this subsection unless
11 the context clearly indicates otherwise:

12 "Employe organization." As defined in section 1101-A.

13 "Governing body of a school entity." The board of school
14 directors of a school district or any other governing entity of
15 a school entity.

16 "HVAC." Heating, ventilation and air conditioning system.

17 "Parents' organization." An organized group, collective or
18 agency of parents and legal guardians of the students in a
19 school building or school entity.

20 "Radon." The radioactive noble gas radon 222.

21 "School entity." A school district, charter school, cyber
22 charter school, regional charter school, intermediate unit, area
23 career and technical school, private school or nonpublic school.

24 Section 2. This act shall take effect in 120 days.

LEGISLATIVE REFERENCE BUREAU

AMENDMENTS TO HOUSE BILL NO. 289

Sponsor:

Printer's No. 234

1 Amend Bill, page 1, lines 1 through 18; pages 2 and 3, lines
2 1 through 30; page 4, lines 1 through 24; by striking out all of
3 said lines on said pages and inserting

4 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
5 act relating to the public school system, including certain
6 provisions applicable as well to private and parochial
7 schools; amending, revising, consolidating and changing the
8 laws relating thereto," in grounds and buildings, providing
9 for radon testing.

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

12 Section 1. The act of March 10, 1949 (P.L.30, No.14), known
13 as the Public School Code of 1949, is amended by adding a
14 section to read:

15 Section 743. Radon Testing.--(a) A school entity shall test
16 each school building for radon gas in accordance with the
17 following schedule:

18 (1) An initial test shall be completed as follows:

19 (i) Within one (1) year of the effective date of this
20 section for each existing school building.

21 (ii) Within one (1) year of completion of construction of a
22 new school building.

23 (2) Retesting of a school building shall be completed as
24 follows:

25 (i) At least once every five (5) years.

26 (ii) Within sixty (60) days, or as soon as practicable, of
27 the completion of the installation of a radon gas mitigation
28 system required in subsection (b).

29 (iii) No sooner than one (1) year but no more than two (2)
30 years after the completion of the installation of a radon gas
31 mitigation system required in subsection (b).

32 (iv) Within one (1) year of the completion of any major
33 structural, foundational or HVAC renovations or repairs to the
34 school building.

35 (b) Within one (1) year, or as soon as practicable, of a
36 test under subsection (a) (1) or (2) that identifies radon gas
37 levels at or above four (4) picocuries per liter of air, a

1 school entity shall complete the installation of a radon gas
2 mitigation system in the affected school building.

3 (c) The following standards shall apply:

4 (1) Radon gas testing shall be performed in accordance with
5 the version of ANSI-AARST MA-MFLB Protocol for Conducting
6 Measurements of Radon and Radon Decay Products in Multifamily,
7 School, Commercial and Mixed-Use Buildings in effect on the
8 effective date of this subsection.

9 (2) Radon gas testing shall be performed by an individual
10 who is certified under the act of July 9, 1987 (P.L.238, No.43),
11 known as the "Radon Certification Act."

12 (3) Radon gas mitigation shall be performed by an individual
13 who is certified under the "Radon Certification Act" by the
14 Department of Environmental Protection.

15 (4) Installation, operation, maintenance and monitoring of
16 the radon gas mitigation system shall comply with the radon
17 mitigation standards provided under the current version of the
18 ANSI-AARST SGM-MFLB Soil Gas Mitigation Standards for Existing
19 Multifamily, School, Commercial and Mixed-Use Buildings in
20 effect on the effective date of this clause.

21 (d) A school entity shall report the results of radon tests
22 required under subsection (a) and if applicable plans for
23 mitigation under subsection (b) within sixty (60) days after the
24 information has been received by the school entity as follows:

25 (1) By presentation to the governing body of a school entity
26 at a public meeting of the governing body of a school entity.

27 (2) By communication by the governing body of a school
28 entity to the parents' organization, if one exists.

29 (3) By communication by the governing body of a school
30 entity to the teachers' union or other employe organization.

31 (4) By posting on the publicly accessible Internet website
32 and social media of the school entity.

33 (e) A school entity shall report the results, including the
34 date measured, of radon tests required under subsection (a) to
35 the department, in a form and manner prescribed by the
36 department, within sixty (60) days after the information has
37 been received by the school entity.

38 (f) The department shall maintain and update at least
39 quarterly a list on the publicly accessible Internet website of
40 the department of the most recent information received under
41 subsection (e) by school building for each school entity.

42 (g) Information posted publicly by the school entity or the
43 department shall not include building plans or infrastructure
44 records that expose or create vulnerability through the
45 disclosure of the location, configuration or security of crucial
46 systems, including:

47 (i) Public utility systems.

48 (ii) Structural elements.

49 (iii) Technology.

50 (iv) Communication.

51 (v) Electrical.

1 (vi) Fire suppression.
2 (vii) Ventilation.
3 (viii) Water.
4 (ix) Wastewater.
5 (x) Sewage.
6 (xi) Gas systems.
7 (xii) Other information that would be exempted from
8 disclosure under section 708 of the act of February 14, 2008
9 (P.L.6, No.3), known as the "Right-to-Know Law."
10 (h) Each new school building shall be built using radon-
11 resistant new construction techniques according to the version
12 of the ANSI-AARST CC-1000: Soil Gas Control Systems in New
13 Construction of Buildings in effect on the effective date of
14 this subsection.
15 (i) Additional costs incurred by a school entity under
16 subsection (h) may not be included in the calculation of maximum
17 project cost or maximum construction cost as required under
18 section 701.1.
19 (j) No later than ninety (90) days after the effective date
20 of this subsection, the Secretary of the Budget shall transfer
21 to the School Environmental Repairs Program Restricted Account
22 established under section 2602-L twenty-seven million dollars
23 (\$27,000,000) from amounts available in special funds and
24 restricted accounts. The transfers under this subsection shall
25 be in accordance with the following:
26 (1) The Secretary of the Budget shall transmit to the State
27 Treasurer a list of amounts to be transferred from special funds
28 and restricted accounts to the School Environmental Repairs
29 Program Restricted Account.
30 (2) No money may be transferred from the Budget
31 Stabilization Reserve Fund established under section 1701-A of
32 the act of April 9, 1929 (P.L.343, No.176), known as "The Fiscal
33 Code."
34 (3) Upon receipt of the list under clause (1), the State
35 Treasurer shall cause the transfers under this subsection to
36 occur.
37 (k) Notwithstanding section 2603-L, the department shall use
38 the funding provided under subsection (j) to reimburse school
39 entities for testing and remediation as follows:
40 (1) No more than seven million dollars (\$7,000,000) shall be
41 used to reimburse school entities for documented costs related
42 to completing the initial testing required under subsection (a)
43 (1)(i) in accordance with the following:
44 (i) Subject to clause (4), the department shall provide
45 reimbursement equal to seventy-five per centum (75%) of the
46 documented costs.
47 (ii) The department shall issue reimbursements on a first-
48 come, first-served basis subject to available funds under clause
49 (1).
50 (iii) Two years after the effective date of this section,
51 the department may use any unused or uncommitted funds under

1 clause (1) for the purposes of clause (2).
2 (2) No less than twenty million dollars (\$20,000,000) shall
3 be used to reimburse school entities for documented costs
4 related to completing the installation of a radon gas mitigation
5 system in an affected school building as required under
6 subsection (b) in accordance with the following:
7 (i) Subject to clause (4), the department shall provide
8 reimbursement equal to seventy-five per centum (75%) of the
9 documented costs.
10 (ii) To the extent possible, the department shall prioritize
11 reimbursements for economically disadvantaged school entities.
12 (3) Reimbursement requests, including documented costs,
13 shall be submitted to the department in a form and manner
14 determined by the department.
15 (4) The department may award, in whole or in part, a request
16 based on the merits of the documented costs.
17 (5) The department shall publish a list of reimbursements
18 paid on its publicly accessible Internet website.
19 (1) As used in this section, the following words and phrases
20 shall have the meanings given to them in this subsection unless
21 the context clearly indicates otherwise:
22 "Department." The Department of Education of the
23 Commonwealth.
24 "Employe organization." As defined in section 1101-A.
25 "Governing body." The board of school directors of a school
26 district or any other governing entity of a school entity.
27 "HVAC." Heating, ventilation and air conditioning system.
28 "Parents' organization." An organized group, collective or
29 agency of parents and legal guardians of the students in a
30 school building or school entity.
31 "Radon." The radioactive noble gas radon 222.
32 "School building." A building owned by or under the control
33 of a school entity where classes are taught or extracurricular
34 activities are conducted on a regular basis.
35 "School entity." A school district, charter school, cyber
36 charter school, regional charter school, intermediate unit or
37 area career and technical school.
38 Section 2. This act shall take effect in 120 days.

HOUSE OF REPRESENTATIVES

DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	HB0289 PN0234	Prepared By:	Andrew McMenamin (717) 783-4043,6941
Committee:	Environmental & Natural Resource Protection	Executive Director:	Evan Franzese
Sponsor:	Briggs, Tim		
Date:	1/31/2025		

A. Brief Concept

Establishes requirements for radon testing and mitigation in schools.

C. Analysis of the Bill

HB 289 amends Act 14 of 1949 (Public School Code) to add section 743 (radon testing) to establish radon testing and mitigation requirements for schools.

Testing Requirements

Requires each existing school building to be tested for radon gas beginning in the 2026-2027 school year and thereafter, in accordance with the protocol referenced in the bill by an individual certified under the Radon Certification Act (Act 43 of 1987).

- Initial testing shall occur within one year of the effective date or within one year of construction for a new school building.

Requires retesting for radon every 5 years or when the school building receives major structural, foundational, or HVAC renovations or repairs, whichever is sooner, if the test results are below 4 picocuries per Liter of air.

Mitigation Requirements

Requires a new school building to be built using radon-resistant new construction techniques according to standards referenced in the bill.

Requires radon mitigation for a building with test results of at least 4 picocuries per Liter of air, to be completed within 6 months of confirmatory radon gas testing and performed by an individual certified under the Radon Certification Act.

- Operation, maintenance, and monitoring of a radon gas mitigation system shall comply with standards referenced in the bill.
- The school building shall be mitigated and retested until the radon levels are less than 4 picocuries per liter of air.
- The school building must be retested every two years.

Reporting

Requires radon test results and mitigation plans to reported within 60 days after being received by the school entity to:

- the governing body of a school entity at a public meeting of the governing body,
- the parents' organization,
- the teachers' union or other employee organization,
- the PA Department of Environmental Protection's Radon Division,
- the State Board of Education,
- the state Department of Education, and

- the county health department.

Definitions

Governing body of a school entity is defined as the board of school directors of a school district or any other governing entity of a school entity.

Parents' organization is defined as an organized group, collective or agency of parents and legal guardians of the students in a school building or school entity.

School entity is defined as a school district, charter school, cyber charter school, regional charter school, intermediate unit, area career and technical school, private school or nonpublic school.

Effective Date:

120 days

G. Relevant Existing Laws

School buildings are not currently required to be tested for radon.

The Radon certification Act (Act 43 of 1987) provides for certification of persons who test for and mitigate radon.

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

HB 289 was based on the language of SB 1328, which was introduced during the 2023-2024 Legislative Session.

SB 1328 was referred to the Senate Education Committee on September 27, 2024, but received no further consideration.

This document is a summary of proposed legislation and is prepared only as general information for use by the Democratic Members and Staff of the Pennsylvania House of Representatives. The document does not represent the legislative intent of the Pennsylvania House of Representatives and may not be utilized as such.

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2161 Session of
2026

INTRODUCED BY SALISBURY, WAXMAN, FREEMAN, PROBST, OTTEN, HILL-
EVANS, HOHENSTEIN, RABB AND CEPEDA-FREYTIZ, JANUARY 28, 2026

REFERRED TO COMMITTEE ON ENVIRONMENTAL AND NATURAL RESOURCE
PROTECTION, JANUARY 28, 2026

AN ACT

1 Amending Title 66 (Public Utilities) of the Pennsylvania
2 Consolidated Statutes, in service and facilities, providing
3 for tree removal agreements.

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

6 Section 1. Title 66 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 1513. Tree removal agreements.

9 (a) Agreements.--On or after the effective date of this
10 subsection, if a public utility determines that the removal of a
11 tree is necessary for the public utility to provide adequate and
12 reliable service to the public and that the tree is the property
13 of a city, municipality or municipal authority, the public
14 utility shall offer to enter into an agreement with the city,
15 municipality or municipal authority that owns the tree requiring
16 the public utility to plant a tree in replacement of the tree
17 removed. As a condition of the agreement, the public utility
18 shall plant the replacement tree within two years of the removal

1 of a tree by the public utility. A city, municipality or
2 municipal authority shall not be obligated to accept the public
3 utility's offered agreement upon the removal of a tree.

4 (b) Replacement tree size.--If a city, municipality or
5 municipal authority accepts the public utility's offered
6 agreement, the public utility shall replace any tree over a
7 five-inch caliper utilizing the caliper inch replacement method
8 as follows:

9 (1) Each tree marked for removal is measured at the
10 standardized height and assigned a diameter at breast height
11 value.

12 (2) The assigned diameter at breast height value is then
13 halved.

14 (3) The halved value shall be the number of two-inch
15 replacement balled and burlapped trees necessary to replant.

16 (4) Appropriate replacement species and planting
17 locations shall be determined by the city, municipality or
18 municipal authority.

19 (c) Replacement fee.--A city, municipality or municipal
20 authority may request a replacement fee, equal to the assessed
21 value of the tree by a certified arborist, from the public
22 utility for the purpose of planting a tree, in lieu of planting
23 a tree.

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

HOUSE OF REPRESENTATIVES

DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	HB2161 PN2804	Prepared By:	Andrew McMenamin (717) 783-4043,6941
Committee:	Environmental & Natural Resource Protection	Executive Director:	Evan Franzese
Sponsor:	Salisbury, Abigail		
Date:	3/3/2026		

A. Brief Concept

Requires public utilities to replace trees removed during utility work on public property, if requested by a municipality.

C. Analysis of the Bill

HB 2161 amends Title 66 (Public Utilities) to add section 1513 (Tree removal agreements) to require public utilities to present a tree removal agreement to the local municipality or municipal authority if the removal of a publicly-owned tree is necessary for public utility service.

Tree Replacement Agreements

Requires a public utility to offer to enter into an agreement with a city, municipality, or municipal authority to replace a tree on their property that was necessary to remove.

- The tree removal agreement would require the public utility to plant a replacement tree within 2 years.
- There is no obligation for a city, municipality, or municipal authority to enter into an offered agreement from the public utility.

Requires a public utility to replace any tree over a five-inch caliper as part of an agreement under subsection (a).

- Appropriate replacement species and planting locations shall be determined by the city, municipality, or municipal authority.

Allows a city, municipality, or municipal authority to request a replacement fee from the public utility for the purpose of planting a tree in lieu of planting a tree.

- The value would be equal to the assessed value of the tree by a certified arborist.

Effective Date:

60 days

G. Relevant Existing Laws

There are currently no requirements for tree replacements for utility work in PA.

Title 52 (Public Utilities), Section 57.198 of the PA Code requires electric utilities to file with PUC a biennial plan for inspection, maintenance, repair, and replacement of its facilities. This plan must include a program for clearances of vegetation. In addition, this section establishes a minimum inspection and treatment cycle of 4 to 8 years and requires an EDC to submit a vegetation management plan.

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

This legislation has not been introduced in previous sessions.

This document is a summary of proposed legislation and is prepared only as general information for use by the Democratic Members and Staff of the Pennsylvania House of Representatives. The document does not represent the legislative intent of the Pennsylvania House of Representatives and may not be utilized as such.

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2229 Session of
2026

INTRODUCED BY MAKO, KRUPA, FREEMAN, GLEIM, GROVE AND JAMES,
FEBRUARY 19, 2026

REFERRED TO COMMITTEE ON ENVIRONMENTAL AND NATURAL RESOURCE
PROTECTION, FEBRUARY 20, 2026

AN ACT

1 Amending the act of July 7, 1980 (P.L.380, No.97), entitled "An
2 act providing for the planning and regulation of solid waste
3 storage, collection, transportation, processing, treatment,
4 and disposal; requiring municipalities to submit plans for
5 municipal waste management systems in their jurisdictions;
6 authorizing grants to municipalities; providing regulation of
7 the management of municipal, residual and hazardous waste;
8 requiring permits for operating hazardous waste and solid
9 waste storage, processing, treatment, and disposal
10 facilities; and licenses for transportation of hazardous
11 waste; imposing duties on persons and municipalities;
12 granting powers to municipalities; authorizing the
13 Environmental Quality Board and the Department of
14 Environmental Protection to adopt rules, regulations,
15 standards and procedures; granting powers to and imposing
16 duties upon county health departments; providing remedies;
17 prescribing penalties; and establishing a fund," in general
18 provisions, further providing for powers and duties of the
19 department.

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

22 Section 1. Section 104(17) and (18) of the act of July 7,
23 1980 (P.L.380, No.97), known as the Solid Waste Management Act,
24 are amended and the section is amended by adding paragraphs to
25 read:

26 Section 104. Powers and duties of the department.

1 The department in consultation with the Department of Health
2 regarding matters of public health significance shall have the
3 power and its duty shall be to:

4 * * *

5 (17) administer funds collected by the United States
6 Government and granted to Pennsylvania for the purpose of
7 closing, maintaining or monitoring abandoned or closed
8 hazardous waste storage, treatment or disposal sites and for
9 the purpose of action to abate or prevent pollution at such
10 sites. If Congress has not authorized the collection of such
11 funds within one year after the effective date of this act,
12 or if the department finds that the funding program
13 authorized is inadequate, the department shall transmit to
14 the General Assembly within 15 months after the effective
15 date of this act a proposal for the establishment of a fund
16 in Pennsylvania comprised of surcharges collected from users
17 of hazardous waste storage, treatment and disposal facilities
18 excluding captive facilities in the Commonwealth. Such fund
19 shall be proposed for the purpose of closing, maintaining or
20 monitoring hazardous waste storage, treatment or disposal
21 sites excluding captive facilities which have been abandoned
22 or which have been closed for at least 20 years, and for the
23 purpose of taking action to abate or prevent pollution at
24 such closed or abandoned sites; [and]

25 (18) encourage the beneficial use or processing of
26 municipal waste or residual waste when the department
27 determines that such use does not harm or present a threat of
28 harm to the health, safety or welfare of the people or
29 environment of this Commonwealth. The department shall
30 establish waste regulations to effectuate the beneficial use

HOUSE OF REPRESENTATIVES

DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	HB2229 PN2922	Prepared By:	Evan Franzese (717) 783-4043,6359
Committee:	Environmental & Natural Resource Protection	Executive Director:	Evan Franzese
Sponsor:	Mako, Zachary		
Date:	3/10/2026		

A. Brief Concept

Requires the PA Department of Environmental Protection (DEP) to notify municipalities of toxic spill violations.

C. Analysis of the Bill

The bill amends Section 104 (Powers and duties of the department) of the Solid Waste Management Act (Act 97 of 1980) to require DEP to notify municipalities when certain violations occur.

Notices

Requires DEP to forward a notice of noncompliance issued by the US Environmental Protection Agency (EPA) under the Toxic Substances Control Act (TSCA) to the municipality where the violation occurred within 14-calendar-days of receipt of the notice.

Requires DEP to send all notices of violation issued under the SWMA to the municipality where the recipient is located.

Allows a municipality to request in writing not to receive these notices.

Effective Date:

60 days

G. Relevant Existing Laws

State Law

Pennsylvania's Solid Waste Management Act (Act 97 of 1980) provides for the regulation and management of municipal, residual, and hazardous waste.

Federal Law

The federal Toxic Substances Control Act of 1976 provides the EPA with authority to require reporting, record-keeping and testing requirements, and restrictions relating to chemical substances and/or mixtures. Certain substances are generally excluded from TSCA, including, among others, food, drugs, cosmetics and pesticides.

TSCA addresses the production, importation, use, and disposal of specific chemicals, including polychlorinated biphenyls (PCBs), asbestos, radon and lead-based paint.

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

Last session, this bill was introduced as HB 718:

- Reported from the House ERE Committee unanimously.
- Passed the House unanimously.
- Received no further consideration in the Senate.

In the 2021-2022 Session, this bill was introduced as HB 1302:

- Reported from the House ERE Committee 19-6.
- Attained final passage in the House 199-2.
- Received no further consideration in the Senate.

This document is a summary of proposed legislation and is prepared only as general information for use by the Democratic Members and Staff of the Pennsylvania House of Representatives. The document does not represent the legislative intent of the Pennsylvania House of Representatives and may not be utilized as such.

1 of municipal and residual waste, including regulations for
2 the issuance of general permits for any category of
3 beneficial use or processing of municipal waste or residual
4 waste on a regional or Statewide basis in accordance with the
5 regulations adopted by the Environmental Quality Board. The
6 department may or may not require insurance under section
7 502(e) or bonds under section 505(a) for any general permit
8 or class of general permits promulgated under this paragraph.
9 Except with the written approval of the department, no waste
10 may be stored for longer than one year. Residual wastes being
11 stored shall be monitored for changes in physical and
12 chemical properties, including leachability, pursuant to
13 applicable regulations, by the person or municipality
14 beneficially using or processing such waste. The department
15 may require the submission of periodic analyses or other
16 information to insure that the quality of residual waste to
17 be beneficially used or processed does not change. A
18 municipality or person beneficially using or processing the
19 residual waste shall immediately notify the department, upon
20 forms provided by department, of any change in the physical
21 or chemical properties of the residual waste, including
22 leachability; and the department shall conduct an
23 investigation and order necessary corrective action. Upon
24 receipt of a signed, written complaint of any person whose
25 health, safety or welfare may be adversely affected by a
26 physical or chemical change in the properties of residual
27 waste to be beneficially used or processed, including
28 leachability, the department shall determine the validity of
29 the complaint and take appropriate action[.];

30 (19) if the department receives a notice of

1 noncompliance issued by the United States Environmental
2 Protection Agency for a violation of 15 U.S.C. Ch. 53
3 (relating to toxic substances control), forward the notice to
4 the municipality where the violation occurred within 14
5 calendar days of receipt; and

6 (20) provide a copy of all notices of violation issued
7 under the authority of this act to the municipality where the
8 recipient facility or site is located. A municipality may
9 request at any time not to receive copies of notices of
10 violation or noncompliance referenced in this paragraph and
11 paragraph (19). The request must be in writing from an
12 authorized municipal representative to the regional waste
13 program manager in the appropriate regional office of the
14 department.

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

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2246 Session of
2026

INTRODUCED BY WEBSTER, WAXMAN, PROKOPIAK, HILL-EVANS, PROBST,
HADDOCK, RIVERA, VITALI, SAPPEY, BURGOS, MAYES, BOROWSKI,
SANCHEZ, MALAGARI, DONAHUE, CEPEDA-FREYTIZ, BOYD, STEELE,
FRANKEL, SCOTT AND FREEMAN, FEBRUARY 24, 2026

REFERRED TO COMMITTEE ON ENVIRONMENTAL AND NATURAL RESOURCE
PROTECTION, FEBRUARY 25, 2026

AN ACT

1 Amending Title 27 (Environmental Resources) of the Pennsylvania
2 Consolidated Statutes, in water resources planning, further
3 providing for State water plan and providing for covered data
4 centers; and promulgating regulations.

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

7 Section 1. Section 3111(c) of Title 27 of the Pennsylvania
8 Consolidated Statutes is amended to read:

9 § 3111. State water plan.

10 * * *

11 (c) Limitation of authority.--[Nothing] Except as provided
12 under section 3118.1 (relating to covered data centers), nothing
13 contained in this chapter shall be construed to authorize,
14 expand or diminish the existing authority of the department,
15 including the Environmental Quality Board, to regulate, control
16 or require permits for the withdrawal or use of water.

17 Section 2. Title 27 is amended by adding a section to read:

1 § 3118.1. Covered data centers.

2 (a) Department powers.--Subject to the provisions of section
3 501 of the act of June 22, 1937 (P.L.1987, No.394), known as The
4 Clean Streams Law, in order to implement the provisions of this
5 section, the department may:

6 (1) require notification and reporting from a covered
7 data center related to water use and water withdrawals;

8 (2) require additional conditions for a permit issued
9 under section 402 of The Clean Streams Law to a covered data
10 center;

11 (3) monitor water withdrawals by a covered data center;
12 and

13 (4) coordinate with other governmental bodies as
14 necessary to implement the provisions of this section.

15 (b) Preapplication notification.--

16 (1) In addition to any other requirements under Federal
17 or State law, a person who is developing a covered data
18 center project shall notify the department in a form and
19 manner prescribed by the department.

20 (2) Upon receipt of the notice under paragraph (1), the
21 department shall require a covered data center to report
22 additional information to assess the ability of a water
23 source to adequately meet the water use needs of the project
24 at a proposed location. Information requested by the
25 department shall include:

26 (i) A description of the proposed covered data
27 center project and how water will be used.

28 (ii) Daily, monthly and annual estimated maximum
29 water use and discharge rates and volumes.

30 (iii) The anticipated water source.

HOUSE OF REPRESENTATIVES

DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	HB2246 PN2937	Prepared By:	Andrew McMenamin (717) 783-4043,6941
Committee:	Environmental & Natural Resource Protection	Executive Director:	Evan Franzese
Sponsor:	Webster, Joe		
Date:	3/9/2026		

A. Brief Concept

Provides for water withdrawal oversight for data centers.

C. Analysis of the Bill

HB 2246 amends Title 27 (Environmental Resources) to allow the Department of Environmental Protection (DEP) to implement water usage reporting requirements for data centers.

Department Powers

Allows DEP to regulate, control, or require permits for the withdrawal or use of water by a data center covered under the act.

Gives DEP the authority to oversee water withdrawals from data centers using more than 100,000 gallons of water per day.

Notification Requirement

Requires covered data centers developers to notify DEP and report information related to water use needs of the project, including:

- A description of the proposed data center project and how water will be used.
- Daily, monthly and annual estimated maximum water use and discharge rates and volumes.
- The anticipated water source.
- Evidence that the proposed withdrawal will not adversely affect the quantity or quality of water for other uses or users and that the designations and uses of the source water body will be maintained.
- Water quality and temperature requirements for both intake and discharge.
- Additional necessary information as determined by the department.

Requires the department to provide a written response to this information within 30 days describing potential water availability constraints at each proposed site.

Permits

Requires DEP to ensure the following when issuing a new or modified NPDES permit to a covered data center:

- adequate protections for the environment, water quality, public health and public safety are maintained.
- water quality, water quantity and affordability are not adversely impacted by the covered data center.
- the quantity of water available is sufficient to support the use by the covered data center.
- water use conflicts are addressed consistent with relevant State and local law.
- technologies and other measures that promote water conservation are considered.

Requires DEP to deny any request if the agency find that there is a risk of adverse impact to adjacent water users, waters of the Commonwealth, wetlands, or any other water use.

Requires a covered data center to do the following:

- cease withdrawals if the department determines there is an adverse impact to adjacent waters or water users.
- conduct an aquifer test if the department determines the results are necessary to comply with this act.
- obtain approval from the relevant river basin commission prior to commencing water withdrawals, if located in the Susquehanna or Delaware watersheds.
- monitor water sources for any adverse impact after construction is complete.

Requires DEP to consult and coordinate with other Commonwealth agencies, Public Utility Commission (PUC), municipalities, river basin commissions, and county conservation districts as needed when reviewing or evaluating a project.

Fees & Other Provisions

Allows DEP may charge a fee in an amount set by the Environmental Quality Board (EQB).

- Revenue from the fee collected shall be deposited into The Clean Water Fund.

Provides for temporary and permanent regulations through the EQB.

Requires DEP to publish and make available forms.

Provides for appeals process through the Environmental Hearing Board.

Definitions

Covered data center is defined as all or part of a facility that:

- is composed of one or more businesses, owners or tenants;
- is predominantly used to house working servers or similar data storage systems;
- may have uninterruptible energy supply or generator backup power, or both, cooling systems, towers and other temperature control infrastructure; and
- has a proposed consumptive use of water exceeding 100,000 gallons per day over a period of 30 days.

Effective Date:

60 days

G. Relevant Existing Laws

Pennsylvania, as typical for states east of the Mississippi River, does not currently have the authority to regulate water withdrawals.

SRBC/DRBC have the ability to monitor water withdrawals in their respective watersheds of greater than 100,000 gallons per day.

Section 402 of the Clean Streams Law provides for NPDES permits.

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

This legislation has not been introduced in previous sessions.

This document is a summary of proposed legislation and is prepared only as general information for use by the Democratic Members and Staff of the Pennsylvania House of Representatives. The document does not represent the legislative intent of the Pennsylvania House of Representatives and may not be utilized as such.

1 (iv) Evidence that the proposed withdrawal will not
2 adversely affect the quantity or quality of water for
3 other uses or users and that the designations and uses of
4 the source water body will be maintained.

5 (v) Water quality and temperature requirements for
6 both intake and discharge.

7 (vi) Additional necessary information as determined
8 by the department.

9 (3) The department shall review and evaluate the
10 information supplied under paragraph (2) and provide a
11 written response within 30 days, which may be transmitted
12 electronically, describing the potential water availability
13 constraints at each proposed site.

14 (c) Additional permit considerations.--

15 (1) When issuing a new or modified permit under section
16 402 of The Clean Streams Law to a covered data center, the
17 department shall ensure that:

18 (i) adequate protections for the environment, water
19 quality, public health and public safety are maintained;

20 (ii) water quality, water quantity and affordability
21 for customers of a public water system and adjacent water
22 users, including private wells, are not adversely
23 impacted by the covered data center;

24 (iii) the quantity of water available is sufficient
25 to support the use by the covered data center;

26 (iv) water use conflicts are addressed consistent
27 with relevant State and local law; and

28 (v) technologies and other measures that promote
29 water conservation are considered, including, but not
30 limited to:

1 (A) using water efficient fixtures and
2 practices;
3 (B) recycling water before discharging;
4 (C) partnering with local water utilities to use
5 discharged water from the covered data center;
6 (D) using reclaimed water;
7 (E) installing closed-loop systems; and
8 (F) supporting water restoration and
9 replenishment in local watersheds.

10 (2) The department shall require a permit applicant to
11 conduct an aquifer test if the department determines that the
12 test results are necessary in order to ensure compliance with
13 this subsection.

14 (3) If the covered data center is within the
15 jurisdiction of a river basin commission, the department
16 shall require a permit applicant under this section to obtain
17 approval from the relevant river basin commission prior to
18 commencing water withdrawals.

19 (d) Coordination.--The department shall consult and
20 coordinate with other Commonwealth agencies, the Pennsylvania
21 Public Utility Commission, municipalities, river basin
22 commissions and county conservation districts as needed when
23 reviewing or evaluating a project under this section.

24 (e) Denial.--The department shall deny any request if the
25 department finds that there is a reasonably foreseeable risk of
26 adverse impact to adjacent water users, waters of the
27 Commonwealth, wetlands or any other water use as shall be
28 prescribed by the department through promulgation of regulations
29 under this section.

30 (f) Monitoring.--

1 (1) The department shall require monitoring of water
2 sources, including both surface and groundwater sources, for
3 any adverse impact after construction is complete.

4 (2) If there is an adverse impact to adjacent water
5 users, waters of the Commonwealth, wetlands or other water
6 use, the department shall require the covered data center to
7 temporarily cease withdrawal until the adverse impact is
8 remedied.

9 (g) Forms.--The department shall publish and make available
10 all forms created in accordance with this section on the
11 department's publicly accessible Internet website.

12 (h) Fee.--

13 (1) The department may charge a fee in an amount set by
14 the Environmental Quality Board that is reasonably sufficient
15 to maintain the duties necessary to implement this section.

16 (2) Revenue from the fee collected in paragraph (1)
17 shall be deposited into The Clean Water Fund. The money
18 deposited into The Clean Water Fund shall be used by the
19 department exclusively for the administration and enforcement
20 of this section.

21 (i) Regulations.--

22 (1) The Environmental Quality Board shall promulgate
23 regulations as necessary to implement this section.

24 (2) In order to facilitate the prompt implementation of
25 this section, the Environmental Quality Board shall
26 promulgate temporary regulations that shall expire no later
27 than two years following the publication of the temporary
28 regulations. The temporary regulations shall not be subject
29 to:

30 (i) Section 612 of the act of April 9, 1929

1 (P.L.177, No.175), known as The Administrative Code of
2 1929.

3 (ii) Sections 201, 202, 203, 204 and 205 of the act
4 of July 31, 1968 (P.L.769, No.240), referred to as the
5 Commonwealth Documents Law.

6 (iii) Sections 204(b) and 301(10) of the act of
7 October 15, 1980 (P.L.950, No.164), known as the
8 Commonwealth Attorneys Act.

9 (iv) The act of June 25, 1982 (P.L.633, No.181),
10 known as the Regulatory Review Act.

11 (3) The Environmental Quality Board's authority to adopt
12 temporary regulations under this subsection shall expire two
13 years after the effective date of this paragraph. Regulations
14 adopted after this period shall be promulgated as provided by
15 law before the expiration of the temporary regulations under
16 paragraph (2).

17 (j) Prohibition.--Nothing in this section shall be construed
18 to limit any existing department duty or requirement.

19 (k) Appeals.--Any determination by the department under this
20 section may be appealed in accordance with the act of July 13,
21 1988 (P.L.530, No.94), known as the Environmental Hearing Board
22 Act.

23 (l) Definitions.--As used in this section, the following
24 words and phrases shall have the meanings given to them in this
25 subsection unless the context clearly indicates otherwise:

26 "Covered data center." All or part of a facility that:

27 (1) is composed of one or more businesses, owners or
28 tenants;

29 (2) is predominantly used to house working servers or
30 similar data storage systems;

1 (3) may have uninterruptible energy supply or generator
2 backup power, or both, cooling systems, towers and other
3 temperature control infrastructure; and

4 (4) has a proposed consumptive use of water exceeding
5 100,000 gallons per day over a period of 30 days.

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