
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2409 Session of
2022

INTRODUCED BY O'NEAL, OWLETT, PICKETT, FRITZ, HAMM, ARMANINI,
SMITH, HERSHEY, JAMES, RYAN, MILLARD, CAUSER, BROOKS, RAPP,
GROVE, DeLUCA, ROWE AND KEEFER, APRIL 11, 2022

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,
APRIL 11, 2022

AN ACT

1 Amending the act of November 26, 1978 (P.L.1375, No.325),
2 entitled "An act providing for the regulation and safety of
3 dams and reservoirs, water obstructions and encroachments;
4 consolidating and clarifying the programs of the Department
5 of Environmental Resources and Navigation Commission for the
6 Delaware River; establishing penalties and repealing certain
7 acts," further providing for definitions; and providing for
8 permit not required for certain maintenance projects.

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

11 Section 1. Section 3 of the act of November 26, 1978
12 (P.L.1375, No.325), known as the Dam Safety and Encroachments
13 Act, is amended by adding a definition to read:

14 Section 3. Definitions.

15 The following words and phrases when used in this act shall
16 have, unless the context clearly indicates otherwise, the
17 meanings given to them in this section:

18 * * *

19 "Flood-related hazard." Flood debris or similar obstruction
20 which may present a substantial potential risk to life or

1 property or may create additional problems in the event of
2 flooding.

3 * * *

4 Section 2. The act is amended by adding a section to read:

5 Section 6.1. Permit not required for certain maintenance
6 projects.

7 The department may not require a permit for the removal of
8 flood-related hazards or related stream clearing activities that
9 are deemed to be an emergency by State or county authorities.

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