

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 780 Session of
2003

INTRODUCED BY SEMMEL, TIGUE, R. MILLER, SOLOBAY, PAYNE, ADOLPH,
ALLEN, BAKER, BEBKO-JONES, BROWNE, BUNT, CAPPELLI, CAWLEY,
CORRIGAN, COY, CURRY, FICHTER, FREEMAN, GEORGE, HARHAI,
HARPER, HENNESSEY, HERMAN, HESS, HORSEY, JAMES, LAUGHLIN,
LEACH, MARSICO, MELIO, S. MILLER, PIPPY, READSHAW, SAINATO,
SAYLOR, STABACK, STERN, E. Z. TAYLOR, WASHINGTON, WEBER,
YOUNGBLOOD, ARMSTRONG AND PHILLIPS, MARCH 10, 2003

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
MAY 7, 2003

AN ACT

1 Amending the act of December 7, 1990 (P.L.639, No.165), entitled
2 "An act establishing a Statewide hazardous material safety
3 program; creating the Hazardous Material Response Fund;
4 providing for the creation of Hazardous Material Emergency
5 Response Accounts in each county; further providing for the
6 powers and duties of the Pennsylvania Emergency Management
7 Agency, of the Pennsylvania Emergency Management Council and
8 of the counties and local governments; imposing obligations
9 on certain handlers of hazardous materials; and imposing
10 penalties," further providing for certified hazardous
11 material response teams; PROVIDING FOR A LOW-INTEREST <—
12 REVOLVING LOAN PROGRAM FOR CERTAIN BUSINESS ENTITIES THAT
13 STORE OR HANDLE HAZARDOUS MATERIALS; AND MAKING AN
14 APPROPRIATION.

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

17 Section 1. Section 209(a) of the act of December 7, 1990
18 (P.L.639, No.165), known as the Hazardous Material Emergency
19 Planning and Response Act, amended December 20, 2000 (P.L.885,
20 No.121), is amended to read:

21 Section 209. Certified hazardous material response teams.

1 (a) General rule.--The council shall establish a program for
2 certifying hazardous material response teams, setting standards
3 for training, equipment, safety, operations and administration
4 of the teams. The certification program shall include, but not
5 be limited to:

6 (1) Standards for certifying response teams with several
7 preparedness levels patterned after levels established by the
8 United States Occupational Safety and Health Administration
9 at 29 CFR Part 1910.120.

10 (2) Reviewing existing hazardous material training and
11 certification programs to establish specific procedures for
12 crediting that training and certification under the program
13 established by this section.

14 (3) Reviewing the existing standards for the training
15 and equipment needed to prepare regional hazardous material
16 organizations to respond to biological and chemical
17 emergencies that are a result of a terrorist incident.

18 * * *

19 SECTION 2. THE ACT IS AMENDED BY ADDING A SECTION TO READ: <—
20 SECTION 301.1. HAZARDOUS MATERIAL SECURITY LOW-INTEREST
21 REVOLVING LOAN PROGRAM.

22 THE SUM OF \$10,000,000, OR AS MUCH THEREOF AS MAY BE
23 NECESSARY, IS HEREBY APPROPRIATED TO THE DEPARTMENT OF LABOR AND
24 INDUSTRY FOR THE PURPOSE OF FUNDING A REVOLVING LOW-INTEREST
25 LOAN PROGRAM FOR BUSINESSES THAT REPORT THEIR USE OF HAZARDOUS
26 MATERIALS TO THE DEPARTMENT OF LABOR AND INDUSTRY IN COMPLIANCE
27 WITH THIS ACT. THESE APPROPRIATED FUNDS MAY BE USED TO AUGMENT
28 ANY FEDERAL FUNDS THAT MAY BE AVAILABLE UNDER FEDERAL
29 ANTITERRORISM LAW. LOANS SHALL BE USED TO INCREASE THE SECURITY
30 OF HAZARDOUS MATERIALS STORAGE FACILITIES AND HANDLING AREAS.

1 THE DEPARTMENT OF LABOR AND INDUSTRY SHALL ESTABLISH THE METHOD
2 OF LOAN DISTRIBUTION, LOAN INTEREST RATE AND APPLICATION PROCESS
3 AND OTHERWISE ADMINISTER THE LOAN PROGRAM IN A MANNER THAT
4 MAXIMIZES THE SECURITY OBJECTIVES OF THE LOAN PROGRAM.

5 Section ~~2~~ 3. This act shall take effect in 60 days.

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