

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 290 Session of
2017

INTRODUCED BY METZGAR, GODSHALL, SCHWEYER, MILLARD, A. HARRIS,
ZIMMERMAN, SANKEY, WARD, GABLER, SAYLOR, WHEELAND, RADER AND
CUTLER, FEBRUARY 2, 2017

AS REPORTED FROM COMMITTEE ON ENVIRONMENTAL RESOURCES AND
ENERGY, HOUSE OF REPRESENTATIVES, AS AMENDED, APRIL 19, 2017

AN ACT

1 Amending the act of July 6, 1989 (P.L.169, No.32), entitled, as
2 amended, "An act providing for the regulation of storage
3 tanks and tank facilities; imposing additional powers and
4 duties on the Department of Environmental Protection and the
5 Environmental Quality Board; and making an appropriation," in
6 financial provisions, further providing for Underground
7 Storage Tank Indemnification Board, FOR UNDERGROUND STORAGE <--
8 TANK ENVIRONMENTAL CLEANUP PROGRAM AND FOR UNDERGROUND
9 STORAGE TANK POLLUTION PREVENTION PROGRAM.

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

12 ~~Section 1. Section 703(a) of the act of July 6, 1989~~ <--
13 ~~(P.L.169, No.32), known as the Storage Tank and Spill Prevention~~
14 ~~Act, is amended to read:~~

15 SECTION 1. SECTIONS 703(A), 710(F) AND 711(F) OF THE ACT OF <--
16 JULY 6, 1989 (P.L.169, NO.32), KNOWN AS THE STORAGE TANK AND
17 SPILL PREVENTION ACT, ARE AMENDED TO READ:

18 Section 703. Underground Storage Tank Indemnification Board.

19 (a) Establishment of board, appointment and terms.--There is
20 hereby created the Underground Storage Tank Indemnification

1 Board which shall consist of ten members. The Insurance
2 Commissioner and the Secretary of the Department of
3 Environmental Protection shall be ex officio members. Eight
4 members shall be appointed [by the Governor,] as follows:

5 (1) Six members who shall be persons with particular
6 expertise in the management of underground storage tanks.
7 Three of these members shall be appointed for terms of four
8 years and three shall be appointed for a term of three years.
9 The Governor shall appoint [the members,] two members, the
10 President pro tempore of the Senate shall appoint one member,
11 the Minority Leader of the Senate shall appoint one member,
12 the Speaker of the House of Representatives shall appoint one
13 member and the Minority Leader of the House of
14 Representatives shall appoint one member. The appointments
15 shall include one each from a list of nominees provided by
16 each of the following:

17 (i) The Associated Petroleum Industries of
18 Pennsylvania.

19 (ii) The Pennsylvania Petroleum Association.

20 (iii) The Service Station Dealers and Automotive
21 Repair Association of Pennsylvania and Delaware and the
22 Petroleum Retailers and Auto Repair Association, Inc.

23 (iv) [The Middle Atlantic Truck Stop Operators] A
24 Statewide organization representing fuel retailers and
25 food merchants.

26 (v) The Pennsylvania Farm Bureau, Pennsylvania State
27 Grange and Pennsylvania Farmers Union.

28 (vi) The Tank Installers of Pennsylvania.

29 (2) [One] The Governor shall appoint one local
30 government member who shall have knowledge and expertise in

1 underground storage tanks. The local government member shall
2 be appointed for a term of two years.

3 (3) [One] The Governor shall appoint one public member
4 who shall not be an owner or operator of storage tanks nor
5 affiliated in any way with any person regulated under this
6 act. The public member shall be appointed for a term of three
7 years.

8 * * *

9 SECTION 710. UNDERGROUND STORAGE TANK ENVIRONMENTAL CLEANUP <--
10 PROGRAM.

11 * * *

12 (F) SUNSET.--THE UNDERGROUND STORAGE TANK ENVIRONMENTAL
13 CLEANUP PROGRAM SHALL CEASE TO EXIST ON JUNE 30, [2017] 2022,
14 UNLESS IT IS REESTABLISHED BY ACTION OF THE GENERAL ASSEMBLY.

15 SECTION 711. UNDERGROUND STORAGE TANK POLLUTION PREVENTION
16 PROGRAM.

17 * * *

18 (F) SUNSET.--THE UNDERGROUND STORAGE TANK POLLUTION
19 PREVENTION PROGRAM SHALL CEASE TO EXIST ON JUNE 30, [2017] 2022,
20 UNLESS IT IS REESTABLISHED BY ACTION OF THE GENERAL ASSEMBLY.

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