

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2660 Session of
1978

INTRODUCED BY REED, SEPTEMBER 11, 1978

REFERRED TO COMMITTEE ON TRANSPORTATION, SEPTEMBER 11, 1978

AN ACT

1 Providing for the responsibilities of the State Council of Civil
2 Defense and certain individuals in connection with incidents
3 occurring during the transportation of hazardous substances.

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

6 Section 1. Training.

7 The State Council of Civil Defense, with the support and
8 assistance of the Department of Education and Department of
9 Transportation, shall make training available for emergency
10 personnel providing fire, rescue or ambulance services in
11 Pennsylvania to better prepare them for the handling of
12 situations involving the use, storage or transportation of
13 hazardous substances.

14 Section 2. Communications.

15 The State Council of Civil Defense shall provide to the
16 officer on duty during the time its office is open telephone
17 communication equipment separate from the personal telephone
18 service he may have at his residence.

19 Section 3. Notification of civil defense and municipal

1 authorities.

2 (a) Whenever there is an incident involving the
3 transportation of hazardous materials reportable to the Public
4 Utility Commission, the person responsible for its
5 transportation, use or storage shall give immediate notification
6 of it to the civil defense office of the county and the police
7 and fire authorities of the municipality within which the
8 incident has occurred. Those agencies shall be informed of the
9 complete nature of the incident and the threat that may exist or
10 could exist to personnel or residents. The individual
11 responsible for notification of the Public Utility Commission
12 shall be the person responsible for notification of the civil
13 defense office of the county and the municipal authorities. The
14 representative of the Public Utility Commission receiving the
15 notification shall determine whether the county and municipal
16 authorities have been properly notified.

17 (b) Whenever there is an incident involving the
18 transportation, use or storage of hazardous materials other than
19 that provided for in subsection (a), the person on the scene
20 responsible for its transportation, use or storage shall
21 immediately notify the county civil defense office and the fire
22 and police authorities of the municipality in which the incident
23 occurs. Those agencies shall be informed of the exact nature of
24 the incident and, if possible, the extent of danger to personnel
25 and residents or others which does or may eventually exist.

26 Section 4. Availability of information.

27 The State Council of Civil Defense shall provide to all
28 county civil defense offices and regional offices information
29 concerning hazardous materials. The information shall include an
30 exact description of the composition of the various hazardous

1 materials, their threat to life and property and known ways to
2 neutralize, disperse, contain, and handle them in the event of
3 an incident that threatens life or property. The information
4 shall be available on a regular basis through the council and
5 regional civil defense offices.

6 Section 5. Right to act in emergencies.

7 Whenever it is determined that a serious threat to life or
8 property exists in an incident involving the transportation, use
9 or storage of hazardous materials, a "hazardous materials
10 emergency" shall be deemed to exist. Emergency personnel of the
11 county civil defense or municipal fire authorities may then
12 order such action as is necessary to reduce or eliminate the
13 threat. Such authorities shall be immune from civil liability
14 for any action by the shipper, or storage container owner for
15 actions carried out pursuant to this section.

16 Section 6. Site management and coordination.

17 Whenever there is an incident provided for in this act and
18 emergency personnel are at the site the fire chief or his
19 designee of the fire department of the municipality in which the
20 incident has occurred shall be the person-in-charge of the
21 scene. He or said designee, in addition to the normal discharge
22 of his functions, shall be responsible for the coordination of
23 personnel, equipment and supplies of all emergency units and
24 personnel responding to the incident.

25 Section 7. Effective date.

26 This act shall take effect in 60 days.