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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 382

Session of  
1981

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INTRODUCED BY CALTAGIRONE, FEBRUARY 3, 1981

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REFERRED TO COMMITTEE ON CONSERVATION, FEBRUARY 3, 1981

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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 communications equipment separate from the personal telephone  
18 service he may have at his residence.

1 Section 3. Notification of civil defense and municipal  
2 authorities.

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

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

27 Section 4. Availability of information.

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

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

7 Section 5. Right to act in emergencies.

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

17 Section 6. Site management and coordination.

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

26 Section 7. Effective date.

27 This act shall take effect in 60 days.