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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL**

**No. 53**

Session of  
1979

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INTRODUCED BY B. F. O'BRIEN, J. L. WRIGHT, JR., BURNS AND McCALL,  
FEBRUARY 5, 1979

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REFERRED TO COMMITTEE ON MINES AND ENERGY MANAGEMENT,  
FEBRUARY 5, 1979

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AN ACT

1 To enhance the Commonwealth's environmental radiation  
2 surveillance and emergency radiation response capabilities by  
3 granting certain powers to the Department of Environmental  
4 Resources and making an appropriation.

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

7 Section 1. Short title.

8 This act shall be known and may be cited as the  
9 "Environmental Radiation Protection Act."

10 Section 2. Findings and declaration of policy.

11 The General Assembly finds that there exist within the  
12 Commonwealth of Pennsylvania several nuclear power plants in  
13 operation or under construction and other major facilities  
14 utilizing large quantities of radioactive materials.

15 Pennsylvania highways and rail systems are used with increasing  
16 frequency to transport spent reactor fuel and other sources of  
17 radioactive material. In order to minimize the effects of  
18 exposure to radiation from both routine and accidental releases

1 of radioactive material to the environment, the General Assembly  
2 finds it necessary and desirable to upgrade the present programs  
3 of environmental radiation monitoring and emergency radiation  
4 response now existing in the Department of Environmental  
5 Resources and to provide additional funding for such activities.  
6 Section 3. Environmental radiation monitoring.

7 The Department of Environmental Resources shall have the  
8 power, and its duty shall be, to carry out a comprehensive  
9 program of monitoring levels of radioactivity in Pennsylvania's  
10 environment. Sites to be monitored shall include, but not be  
11 limited to, nuclear power reactor sites and other sites with a  
12 substantial potential for environmental radioactivity  
13 contamination.

14 Section 4. Radiation emergency response.

15 (a) The Department of Environmental Resources shall assist  
16 the State Council of Civil Defense in preparing a radiation  
17 emergency response plan in a manner consistent with the  
18 provisions of the "State Council of Civil Defense Act of 1951."

19 (b) The department shall also make available technical staff  
20 and equipment to determine levels of radiation in the  
21 environment and recommend emergency measures to protect the  
22 public from exposure to such radiation in the event of an  
23 accident at a nuclear power plant, a transportation accident  
24 involving radioactive materials, or any other condition or  
25 occurrence which necessitates radiation emergency assistance at  
26 any location in the Commonwealth.

27 Section 5. Annual report.

28 The department shall prepare a report on environmental  
29 radiation levels, as determined by the monitoring program, on at  
30 least an annual basis. Copies of the report shall be submitted

1 to the President pro tempore of the Senate and the Speaker of  
2 the House of Representatives of the General Assembly and shall  
3 be made available to the general public. The report shall also  
4 contain a description and analysis of any emergency responses or  
5 other actions taken by the department under this act and any  
6 other information about environmental radiation or radiation  
7 emergencies which the department deems to be of sufficient  
8 importance to call to the attention of the General Assembly and  
9 the citizens of the Commonwealth.

10 Section 6. Appropriation.

11 There is hereby appropriated the sum of \$300,000 for the  
12 fiscal year 1979-1980 from the General Fund of the Commonwealth.

13 All such moneys shall be used to upgrade the present  
14 environmental radiation monitoring and emergency response  
15 programs in the department.

16 Section 7. Effective date.

17 This act shall take effect immediately.