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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 MESSRS. B. F. O'BRIEN, J. L. WRIGHT, BURNS  
D. S. HAYES, COHEN, REED AND McCALL, FEBRUARY 5, 1979

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AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,  
MAY 31, 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 INCLUDING ALL APPROPRIATE TESTS FOR ALPHA, BETA AND <—  
11 GAMMA LEVELS IN ALL APPROPRIATE MEDIA. Sites to be monitored  
12 shall include, but not be limited to, nuclear power reactor  
13 sites and other sites with a substantial potential for  
14 environmental radioactivity contamination.

15 Section 4. Radiation emergency response.

16 (a) The Department of Environmental Resources shall assist  
17 the Pennsylvania Emergency Management Agency in preparing a  
18 radiation emergency response plan in a manner consistent with  
19 the provisions of 35 Pa.C.S. § 7101 et seq. (relating to  
20 Emergency Management Services).

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

29 Section 5. Annual report.

30 The department shall prepare a report on environmental

1 radiation levels, as determined by the monitoring program, on at  
2 least an annual basis. Copies of the report shall be submitted  
3 to the President pro tempore of the Senate and the Speaker of  
4 the House of Representatives of the General Assembly and shall  
5 be made available to the general public. The report shall also  
6 contain a description and analysis of any emergency responses or  
7 other actions taken by the department under this act and any  
8 other information about environmental radiation or radiation  
9 emergencies which the department deems to be of sufficient  
10 importance to call to the attention of the General Assembly and  
11 the citizens of the Commonwealth.

12 SECTION 6. NOTIFICATION. ←

13       WHENEVER THE DEPARTMENT OF ENVIRONMENTAL RESOURCES DURING THE  
14 COURSE OF ITS DUTIES UNDER THIS ACT, DETERMINES THAT LEVELS OF  
15 RADIATION EXCEED THE NORMAL RANGE OF RADIOACTIVITY IN THAT AREA,  
16 THE DEPARTMENT SHALL IMMEDIATELY NOTIFY THE GOVERNOR, THE  
17 NUCLEAR REGULATORY COMMISSION AND ALSO REPORT ITS FINDINGS TO  
18 THE PUBLIC, AND IT SHALL SUBSEQUENTLY SUBMIT A DETAILED REPORT  
19 ON THE OCCURRENCE TO BOTH THE GOVERNOR AND THE NUCLEAR  
20 REGULATORY COMMISSION AND MAKE SUCH REPORT PUBLIC.

21 Section ~~6~~ 7. Appropriation. ←

22       There is hereby appropriated the sum of \$300,000 for the  
23 fiscal year 1979-1980 from the General Fund of the Commonwealth.  
24 All such moneys shall be used to upgrade the present  
25 environmental radiation monitoring and emergency response  
26 programs in the department.

27 Section ~~7~~ 8. Effective date. ←

28       This act shall take effect immediately.