
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 53

Session of
1979

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

AS AMENDED ON SECOND CONSIDERATION, IN SENATE, JULY 10, 1979

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 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 8.~~ 7. Effective date. <—

28 This act shall take effect immediately.