

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 93

Session of  
1985

INTRODUCED BY STEIGHNER, GEORGE, HASAY, JAROLIN, GREENWOOD,  
E. Z. TAYLOR, FEE, OLIVER, J. L. WRIGHT, COY, DeWEESE,  
KUKOVICH, HALUSKA, BALDWIN, BELFANTI, BIRMELIN, RYBAK, TIGUE,  
HERMAN, ANGSTADT, DeLUCA, PETRARCA, WOZNIAK, FLICK, BLAUM,  
CLARK, CIVERA, PRATT, VAN HORNE, DAVIES, GODSHALL, MORRIS,  
GRUPPO, NOYE, MICHLOVIC, LASHINGER, NAHILL, CAWLEY, McHALE,  
CIMINI, DALEY, FREEMAN AND BELARDI, JANUARY 28, 1985

REFERRED TO COMMITTEE ON CONSERVATION, JANUARY 28, 1985

AN ACT

1 Requiring public notice of certain conditions relating to a  
2 public water supply; and providing a civil penalty.

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

5 Section 1. Definitions.

6 The following words and phrases when used in this act shall  
7 have the meanings given to them in this section unless the  
8 context clearly indicates otherwise:

9 "Disturbance." Any disturbance which is potentially  
10 hazardous.

11 "Foreign substance." Any substance which is or may be  
12 potentially hazardous.

13 "Water company." Any person, firm or corporation, whether  
14 for profit or not-for-profit, or any municipality which operates  
15 a water supply system for residential customers.

1 Section 2. Public Notice.

2 (a) Notice to news media.--Whenever any water company or the  
3 Department of Environmental Resources has knowledge of or has  
4 reason to believe that any foreign substance or disturbance that  
5 the company deems potentially hazardous or damaging, whether  
6 identified or not, is present in the water or water supply  
7 system, the utility shall, within two hours of the acquisition  
8 of that knowledge, notify the newspaper, radio and television  
9 media in the concerned area of the presence of a foreign  
10 substance or disturbance and request immediate broadcast of this  
11 information.

12 (b) Notice to utility.--Whenever the Department of  
13 Environmental Resources has knowledge or has reason to believe  
14 that any foreign substance or disturbance that it deems  
15 potentially hazardous or damaging, whether identified or not, is  
16 present in the water or water supply system, it shall notify  
17 immediately the affected water company. Upon ascertaining the  
18 identification of the foreign substance or disturbance and its  
19 potential impact on the utility customers the utility shall also  
20 transmit this information to the newspaper, radio and television  
21 media for immediate broadcast. Within 24 hours of the  
22 occurrence of the event, the utility shall issue a written  
23 statement to at least one daily newspaper which provides  
24 circulation in the affected area and at least one radio station  
25 which broadcasts in the affected area and any other media  
26 concerning the foreign substance or disturbance, its origins, if  
27 known, and the approximate length of time necessary to remove  
28 the foreign substance or disturbance from the system.

29 Section 3. Penalty.

30 For any failure to comply with this act, the Department of

1 Environmental Resources shall impose a civil penalty of not less  
2 than \$5,000 nor more than \$25,000 per day. The penalty shall not  
3 be recoverable as part of any rate increase or tariff filing.

4 Section 4. Effective date.

5 This act shall take effect immediately.