

## 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, BELARDI, KASUNIC, STUBAN, PISTELLA,  
OLASZ, DAWIDA, WAMBACH AND AFFLERBACH, JANUARY 23, 1985

AS REPORTED FROM COMMITTEE ON CONSERVATION, HOUSE  
OF REPRESENTATIVES, AS AMENDED, MARCH 18, 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

1 a water supply system for residential customers.

2 Section 2. Public Notice.

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

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

1 Section 3. Penalty.

2 For any failure to comply with this act, the Department of  
3 Environmental Resources shall impose a civil penalty of not less  
4 than \$5,000 nor more than \$25,000 per day. The penalty shall not  
5 be recoverable as part of any rate increase or tariff filing.

6 Section 4. Effective date.

7 This act shall take effect immediately.