

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL**No. 696** Session of
2001

INTRODUCED BY MUSTO, KUKOVICH, BODACK, COSTA, CONTI, O'PAKE,
TILGHMAN, HUGHES, TARTAGLIONE, SCHWARTZ, KITCHEN, MELLOW,
RHOADES, BOSCOLA, STOUT, LEMMOND AND STACK, MARCH 27, 2001

SENATOR M. WHITE, ENVIRONMENTAL RESOURCES AND ENERGY, AS
AMENDED, APRIL 25, 2001

AN ACT

1 Amending the act of July 6, 1989 (P.L.169, No.32), entitled, as
2 amended, "An act providing for the regulation of storage
3 tanks and tank facilities; imposing additional powers and
4 duties on the Department of Environmental Protection and the
5 Environmental Quality Board; and making an appropriation,"
6 providing for certain notification when there are releases
7 from underground storage tanks.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Section 904 of the act of July 6, 1989 (P.L.169,
11 No.32), known as the Storage Tank and Spill Prevention Act, is
12 amended by adding a subsection to read:

13 Section 904. Notification.

14 * * *

15 (e) Releases from underground storage tanks.--Upon the
16 occurrence of a release from an underground storage tank, the
17 owner or operator of the storage tank shall immediately notify
18 the appropriate regional office of the department. The owner or
19 operator shall notify the department, as soon as practicable,

1 but no later than ~~two~~ 24 hours after the confirmation of a <—
2 reportable release. Within 15 days of the notice required under
3 this subsection, the owner or operator shall provide written
4 notification to the department and to the municipality in which
5 the reportable release has occurred. The written notification
6 shall describe, to the extent the information is available, the
7 regulated substance involved in the release, the quantity of the
8 substance released, when the release occurred, where the release
9 occurred and relevant information concerning the effect of the
10 release on public health, groundwater, surface water and soils.
11 The notice shall also include information on remedial actions
12 that are planned, initiated or completed. ~~Within five days of~~ <—
13 ~~receiving the written notice from the owner or operator, the~~
14 ~~department and municipality shall cooperate to provide the same~~
15 ~~notice and any other information that is deemed appropriate to~~
16 ~~all residents living within one half mile radius of the location~~
17 ~~of the reported release. The notice to residents shall be sent~~
18 ~~by certified mail. IF THE DEPARTMENT DETERMINES THAT THE RELEASE~~ <—
19 POSES AN IMMEDIATE THREAT TO PUBLIC HEALTH AND SAFETY, THE
20 DEPARTMENT AND MUNICIPALITY SHALL COOPERATE TO PROVIDE THE SAME
21 NOTICE AND ANY OTHER INFORMATION THAT IS DEEMED APPROPRIATE BY
22 THE DEPARTMENT TO ALL RESIDENTS LIVING WITHIN A ONE-QUARTER MILE
23 RADIUS OF THE LOCATION OF THE REPORTED RELEASE. THE NOTICE TO
24 RESIDENTS SHALL BE SENT BY CERTIFIED MAIL WITHIN 30 DAYS OF WHEN
25 THE REPORTABLE RELEASE HAS OCCURRED.

26 Section 2. This act shall take effect in 60 days.