

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

AS REPORTED FROM COMMITTEE ON ENVIRONMENTAL RESOURCES AND
ENERGY, HOUSE OF REPRESENTATIVES, AS AMENDED, OCTOBER 2, 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~~ A 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

1 operator shall notify the department, as soon as practicable,
2 but no later than 24 hours after the confirmation of a
3 reportable release. Within 15 days of the notice required under
4 this subsection, the owner or operator shall provide written
5 notification to the department and to the EACH municipality in <—
6 which the reportable release has occurred, AND EACH MUNICIPALITY <—
7 WHERE THAT RELEASE HAS IMPACTED ENVIRONMENTAL MEDIA OR WATER
8 SUPPLIES, BUILDINGS OR SEWER OR OTHER UTILITY LINES. The written
9 notification shall describe, to the extent the information is
10 available, the regulated substance involved in the release, the
11 quantity of the substance released, when the release occurred,
12 where the release occurred, THE AFFECTED ENVIRONMENTAL MEDIA and <—
13 relevant information concerning the effect of the release on
14 public health, groundwater, surface water and soils IMPACTS TO <—
15 WATER SUPPLIES, BUILDINGS OR TO SEWER OR OTHER UTILITY LINES.
16 The notice shall also include information on remedial actions
17 that are planned, initiated or completed. THE OWNER OR OPERATOR <—
18 SHALL ALSO PROVIDE WRITTEN NOTIFICATION TO THE DEPARTMENT AND
19 EACH IMPACTED MUNICIPALITY OF NEW IMPACTS TO ENVIRONMENTAL MEDIA
20 OR WATER SUPPLIES, BUILDINGS OR SEWER OR OTHER UTILITY LINES
21 DISCOVERED AFTER THE INITIAL WRITTEN NOTIFICATION REQUIRED UNDER
22 THIS SUBSECTION. THIS WRITTEN NOTIFICATION SHALL BE MADE WITHIN
23 15 DAYS OF THE DISCOVERY OF THE NEW IMPACT. If the department
24 determines AT ANY TIME that the release poses an immediate <—
25 threat to public health and safety, the department and
26 municipality shall cooperate to provide the same notice and any <—
27 other information that is deemed appropriate by the department
28 to all residents living within a one quarter mile radius of the
29 location of the reported release. The notice to residents shall
30 be sent by certified mail within 30 days of when the reportable

1 ~~release has occurred.~~ ANY IMPACTED MUNICIPALITIES MAY EVALUATE
2 AND IMPLEMENT REASONABLE PROCEDURES TO PROVIDE THE PUBLIC WITH
3 APPROPRIATE INFORMATION ABOUT THE SITUATION WHICH MAY, AT A
4 MINIMUM, INCLUDE A SUMMARY OF THE DETAILS SURROUNDING THE
5 RELEASE AND ITS IMPACTS IN A NEWSPAPER OF GENERAL CIRCULATION
6 SERVING THE AREA IN WHICH THE IMPACTS ARE OCCURRING.

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