

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

SENATE AMENDMENTS TO HOUSE AMENDMENTS, DECEMBER 11, 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 DEFINING "ENVIRONMENTAL MEDIA"; AND providing for certain
7 notification when there are releases from 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 1. SECTION 103 OF THE ACT OF JULY 6, 1989 (P.L.169, <---
14 NO.32), KNOWN AS THE STORAGE TANK AND SPILL PREVENTION ACT, IS
15 AMENDED BY ADDING A DEFINITION TO READ:

16 SECTION 103. DEFINITIONS.

17 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ACT SHALL
18 HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
19 CONTEXT CLEARLY INDICATES OTHERWISE:

20 * * *

1 "ENVIRONMENTAL MEDIA." SOIL, SEDIMENT, SURFACE WATER,
2 GROUNDWATER, BEDROCK AND AIR.

3 * * *

4 SECTION 2. SECTION 904 OF THE ACT IS AMENDED BY ADDING A
5 SUBSECTION TO READ:

6 Section 904. Notification.

7 * * *

8 (e) Releases from storage tanks.--Upon the occurrence of a
9 release from a storage tank, the owner or operator of the
10 storage tank shall immediately notify the appropriate regional
11 office of the department. The owner or operator shall notify the
12 department, as soon as practicable, but no later than 24 hours
13 after the confirmation of a reportable release. Within 15 days
14 of the notice required under this subsection, the owner or
15 operator shall provide written notification to the department
16 and to each municipality in which the reportable release has
17 occurred, and each municipality where that release has impacted
18 environmental media or water supplies, buildings or sewer or
19 other utility lines. The written notification shall describe, to
20 the extent the information is available, the regulated substance
21 involved in the release, the quantity of the substance released,
22 when the release occurred, where the release occurred, the
23 affected environmental media and relevant information concerning
24 the effect of the release on public health, impacts to water
25 supplies, buildings or to sewer or other utility lines. The
26 notice shall also include information on remedial actions that
27 are planned, initiated or completed. The owner or operator shall
28 also provide written notification to the department and each
29 impacted municipality of new impacts to environmental media or
30 water supplies, buildings or sewer or other utility lines

1 discovered after the initial written notification required under
2 this subsection. This written notification shall be made within
3 15 days of the discovery of the new impact. If the department
4 determines at any time that the release poses an immediate
5 threat to public health and safety, the department and any
6 impacted municipalities may evaluate and implement reasonable
7 procedures to provide the public with appropriate information
8 about the situation which may, at a minimum, include a summary
9 of the details surrounding the release and its impacts in a
10 newspaper of general circulation serving the area in which the
11 impacts are occurring.

12 Section 2 3. This act shall take effect in 60 days.

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