
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 649 Session of
2017

INTRODUCED BY YUDICHAK, WHITE, RAFFERTY, FONTANA AND COSTA,
APRIL 25, 2017

REFERRED TO ENVIRONMENTAL RESOURCES AND ENERGY, APRIL 25, 2017

AN ACT

1 Amending the act of July 6, 1989 (P.L.169, No.32), entitled "An
2 act providing for the regulation of storage tanks and tank
3 facilities; imposing additional powers and duties on the
4 Department of Environmental Protection and the Environmental
5 Quality Board; and making an appropriation," in financial
6 provisions, further providing for Underground Storage Tank
7 Environmental Cleanup Program, for Underground Storage Tank
8 Pollution Prevention Program and for investigation and
9 closure costs.

10 The General Assembly of the Commonwealth of Pennsylvania
11 hereby enacts as follows:

12 Section 1. Sections 710(b.2) and (f), 711(b) and (f) and 713
13 heading and (a) of the act of July 6, 1989 (P.L.169, No.32),
14 known as the Storage Tank and Spill Prevention Act, are amended
15 to read:

16 Section 710. Underground Storage Tank Environmental Cleanup
17 Program.

18 * * *

19 (b.2) Additional allocation.--No more than [\$500,000]
20 \$750,000 of the annual allocation for the Underground Storage
21 Tank Environmental Cleanup Program may be used for costs of

1 corrective action to assist owners of underground storage tanks
2 with a capacity of 3,000 gallons or less used for storing
3 heating oil for consumption on the premises where stored.
4 Payments made for eligible releases shall be limited in amount
5 to the actual costs of corrective action or to \$5,000, whichever
6 is less. The amount allowed shall be subject to a \$1,000
7 deductible which shall be paid first by the claimant. The board
8 may promulgate regulations to carry out the provisions of this
9 subsection.

10 * * *

11 (f) Sunset.--The Underground Storage Tank Environmental
12 Cleanup Program shall cease to exist on June 30, [2017] 2022,
13 unless it is reestablished by action of the General Assembly.
14 Section 711. Underground Storage Tank Pollution Prevention
15 Program.

16 * * *

17 (b) Allocation.--The board may allocate up to [\$1,000,000]
18 \$350,000 annually from the Underground Storage Tank
19 Indemnification Fund for the Underground Storage Tank Pollution
20 Prevention Program as long as the allocation does not impede the
21 actuarial soundness of the fund's ability to pay claims.

22 * * *

23 (f) Sunset.--The Underground Storage Tank Pollution
24 Prevention Program shall cease to exist on June 30, [2017] 2022,
25 unless it is reestablished by action of the General Assembly.
26 Section 713. Investigation and closure and compliance and
27 enforcement costs.

28 (a) Investigation and closure [review] and compliance and
29 enforcement costs.--The department may request the board to
30 reimburse the department up to [\$3,000,000] \$7,000,000 annually

1 for its costs related to investigating, determining
2 responsibility, overseeing remediation and third party response
3 and closing out cases of spills and leaks related to storage
4 tanks and for inspecting, determining compliance and taking
5 enforcement actions against owners of storage tanks beginning in
6 fiscal year [2007-2008] 2017-2018.

7 * * *

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