
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 733 Session of
2019

INTRODUCED BY QUINN, OTTEN AND FREEMAN, MARCH 18, 2019

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, MARCH 18, 2019

AN ACT

1 Amending Title 66 (Public Utilities) of the Pennsylvania
2 Consolidated Statutes, in service and facilities, providing
3 for information regarding transmission of hazardous liquids
4 near school buildings.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Chapter 15 of Title 66 of the Pennsylvania
8 Consolidated Statutes is amended by adding a subchapter to read:

9 SUBCHAPTER C

10 INFORMATION REGARDING TRANSMISSION OF HAZARDOUS

11 LIQUIDS NEAR SCHOOL BUILDINGS

12 Sec.

13 1541. Definitions.

14 1542. Information regarding transmission of hazardous liquids
15 near school buildings.

16 1543. Record requirement.

17 § 1541. Definitions.

18 The following words and phrases when used in this subchapter
19 shall have the meanings given to them in this section unless the

1 context clearly indicates otherwise:

2 "Charter school." A charter school, a regional charter
3 school or a cyber charter school.

4 "Chief school administrator." The superintendent of a school
5 district, superintendent of an area vocational-technical school,
6 executive director of an intermediate unit or chief executive
7 officer of any charter school.

8 "Facilities." Facilities of a public utility engaged in the
9 transmission of hazardous liquids by pipeline or conduit, any
10 part of which is located within 1,000 feet of a school building.

11 "Hazardous liquid." As defined in 49 CFR 195.2 (relating to
12 definitions).

13 "Nonpublic school." A nonprofit school, other than a school
14 entity, wherein a resident of this Commonwealth may legally
15 fulfill the compulsory school attendance requirements of Article
16 XIII of the act of March 10, 1949 (P.L.30, No.14), known as the
17 Public School Code of 1949, and which meets the requirements of
18 Title VI of the Civil Rights Act of 1964 (Public Law 88-352, 78
19 Stat. 241).

20 "Operator." An operator or owner of facilities.

21 "School." A school operated by a school entity or nonpublic
22 school.

23 "School building." A building owned by or under the control
24 of a school entity or nonpublic school where classes are taught
25 or extracurricular activities are conducted on a regular basis.
26 The term includes the following:

27 (1) A cyber charter school building where cyber charter
28 school students congregate for classes.

29 (2) The grounds adjacent to a building or facility where
30 students congregate as part of the school day or a school-

1 sponsored activity, including school playgrounds.

2 "School entity." A school district, charter school, regional
3 charter school, cyber charter school, intermediate unit or area
4 vocational-technical school.

5 "Transmission." The transportation, other than gathering, of
6 hazardous liquids through a pipeline as that term is defined in
7 49 CFR 195.2 (relating to definitions).

8 § 1542. Information regarding transmission of hazardous liquids
9 near school buildings.

10 (a) General rule.--Within six months of the completion of
11 construction of facilities and no later than January 15 of every
12 odd-numbered year thereafter, an operator shall file with the
13 commission the following information:

14 (1) The name of each school located within 1,000 feet of
15 the facilities.

16 (2) The street address of each school building located
17 within 1,000 feet of the facilities.

18 (3) The identification (system name) of the facilities.

19 (b) Emergency response plan.--An operator shall:

20 (1) Upon written request from the governing board of a
21 school entity or a nonpublic school, provide in writing the
22 following parts of a pipeline emergency response plan that
23 are relevant to a school building:

24 (i) A description and map of the facilities that are
25 located within 1,000 feet of the school building.

26 (ii) A list of any product transported in the
27 segment of the facilities that are located within 1,000
28 feet of the school building.

29 (iii) The designated emergency number for the
30 operator.

1 (iv) Information on the Commonwealth's excavation
2 One Call System.

3 (v) Information on how to recognize, report and
4 respond to a product release.

5 (2) Mail a copy of the information requested under
6 paragraph (1) by certified mail, return receipt requested, to
7 the chief school administrator of the school entity or the
8 director of the nonpublic school.

9 (c) Meetings.--If requested by the governing board of the
10 school entity or nonpublic school, an operator or the operator's
11 representative shall appear at a regularly scheduled meeting of
12 the governing board of a school entity or nonpublic school to
13 explain the items listed under subsections (a) and (b) if
14 requested by the governing board of the school entity or
15 nonpublic school.

16 § 1543. Record requirement.

17 (a) General rule.--An operator shall maintain records
18 documenting compliance with the requirements of this subchapter.

19 (b) Maintenance of records.--Records of attendance and
20 acknowledgment of receipt of the requested information by the
21 chief school administrator of a school entity or the director of
22 a nonpublic school shall be retained for five years from the
23 date of the event that is commemorated by the record.

24 (c) Certified mail records.--Records of certified mail
25 transmissions undertaken in compliance with this subsection
26 shall satisfy the record-keeping requirements of this section.

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