
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 260 Session of
2019

INTRODUCED BY DINNIMAN, KILLION, BREWSTER, SCHWANK, COSTA,
KEARNEY AND HAYWOOD, FEBRUARY 7, 2019

REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,
FEBRUARY 7, 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

1 shall have the meanings given to them in this section unless the
2 context clearly indicates otherwise:

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

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

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

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

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

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

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

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

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

30 (2) The grounds adjacent to a building or facility where

1 students congregate as part of the school day or a school-
2 sponsored activity, including school playgrounds.

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

6 "Transmission." The transportation, other than gathering, of
7 hazardous liquids through a pipeline as that term is defined in
8 49 CFR 195.2 (relating to definitions).

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

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

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

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

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

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

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

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

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

30 (iii) The designated emergency number for the

1 operator.

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

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

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

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

17 § 1543. Record requirement.

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

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

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

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