

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1780 Session of  
2021

INTRODUCED BY ARMANINI, MOUL, SMITH, ZIMMERMAN AND CIRESI,  
AUGUST 12, 2021

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,  
AUGUST 12, 2021

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 general  
6 provisions, further providing for definitions; and, in  
7 financial provisions, further providing for powers and duties  
8 of Underground Storage Tank Indemnification Board, for  
9 Underground Storage Tank Environmental Cleanup Program and  
10 for Underground Storage Tank Pollution Prevention Program.

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

13 Section 1. The definition of "secretary" in section 103 of  
14 the act of July 6, 1989 (P.L.169, No.32), known as the Storage  
15 Tank and Spill Prevention Act, is amended 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 \* \* \*

21 "Secretary." The Secretary of Environmental [Resources]

1 Protection of the Commonwealth.

2 \* \* \*

3 Section 2. Sections 705(d)(1), 710(f) and 711(f) of the act  
4 are amended to read:

5 Section 705. Powers and duties of Underground Storage Tank  
6 Indemnification Board.

7 \* \* \*

8 (d) Fees.--

9 (1) The board, by regulation, shall establish fees to be  
10 paid by the owner, operator or certified tank installer, as  
11 appropriate, of underground storage tanks. Fees shall be set  
12 on an actuarial basis in order to provide an amount  
13 sufficient to pay outstanding and anticipated claims against  
14 the Underground Storage Tank Indemnification Fund in a timely  
15 manner. Fees shall also include an amount sufficient to meet  
16 all other financial requirements of the board. Fees shall be  
17 adjusted as deemed necessary by the board, but no more than  
18 once a year. The board shall annually evaluate the fee amount  
19 to determine if it is sufficient to meet the anticipated  
20 expenses of the fund and provide a copy of its evaluation to  
21 the Environmental Resources and Energy Committee of the  
22 Senate and the [Conservation] Environmental Resources and  
23 Energy Committee of the House of Representatives. The board  
24 shall analyze the claims experience of storage tanks to  
25 determine which types of underground tanks or tank  
26 configurations result in less frequent leaks.

27 \* \* \*

28 Section 710. Underground Storage Tank Environmental Cleanup  
29 Program.

30 \* \* \*

1 (f) Sunset.--The Underground Storage Tank Environmental  
2 Cleanup Program shall cease to exist on [~~June 30, 2022~~] December  
3 31, 2027, unless it is reestablished by action of the General  
4 Assembly.

5 Section 711. Underground Storage Tank Pollution Prevention  
6 Program.

7 \* \* \*

8 (f) Sunset.--The Underground Storage Tank Pollution  
9 Prevention Program shall cease to exist on [~~June 30, 2022~~]  
10 December 31, 2027, unless it is reestablished by action of the  
11 General Assembly.

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