

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1780 Session of 2021

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

AS REPORTED FROM COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY, HOUSE OF REPRESENTATIVES, AS AMENDED, MAY 24, 2022

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~~ <--
13 IMMEDIATELY. <--