

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

SENATE BILL

No. 494 Session of  
2021

---

INTRODUCED BY COMITTA, SANTARSIERO, KEARNEY, TARTAGLIONE, COSTA,  
SCHWANK AND MUTH, APRIL 13, 2021

---

REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,  
APRIL 13, 2021

---

AN ACT

1 Establishing the Pipeline Safety and Communication Board and  
2 providing for its powers and duties; and making a related  
3 repeal.

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

6 Section 1. Short title.

7 This act shall be known and may be cited as the Pipeline  
8 Safety and Communication Board Act.

9 Section 2. Definitions.

10 The following words and phrases when used in this act shall  
11 have the meanings given to them in this section unless the  
12 context clearly indicates otherwise:

13 "Board." The Pipeline Safety and Communication Board  
14 established in section 3(a).

15 "Commonwealth agency." The term includes:

- 16 (1) The Pennsylvania Public Utility Commission.  
17 (2) The Department of Environmental Protection.  
18 (3) The Department of Health.

1 (4) The Department of Transportation.

2 (5) The Pennsylvania Emergency Management Agency.

3 (6) The Office of the State Fire Commissioner.

4 "Pipeline." A pipeline used to transport oil, natural gas or  
5 nongas liquids in this Commonwealth.

6 Section 3. Pipeline Safety and Communication Board.

7 (a) Establishment.--The Pipeline Safety and Communication  
8 Board is established as an independent administrative board and  
9 shall consist of the following members:

10 (1) The following State officials:

11 (i) The chairperson of the Pennsylvania Public  
12 Utility Commission.

13 (ii) The Secretary of Environmental Protection.

14 (iii) The Secretary of Health.

15 (iv) The Secretary of Transportation.

16 (v) The Director of the Pennsylvania Emergency  
17 Management Agency.

18 (vi) The State Fire Commissioner.

19 (vii) The President pro tempore of the Senate.

20 (viii) The Majority Leader of the Senate.

21 (ix) The Majority Whip of the Senate.

22 (x) The Minority Leader of the Senate.

23 (xi) The Minority Whip of the Senate.

24 (xii) The Speaker of the House of Representatives.

25 (xiii) The Majority Leader of the House of  
26 Representatives.

27 (xiv) The Majority Whip of the House of  
28 Representatives.

29 (xv) The Minority Leader of the House of  
30 Representatives.

1           (xvi) The Minority Whip of the House of  
2           Representatives.

3           (2) Six members to be appointed by the Governor, who  
4           shall be operators or owners of interstate or intrastate  
5           pipelines located or under construction in this Commonwealth.

6           (b) Designee.--A member of the board under subsection (a)(1)  
7           may appoint a designee who must be an employee of the same  
8           agency as the member to attend meetings.

9           (c) Term of office.--

10          (1) Except as provided under paragraph (2), members  
11          appointed by the Governor shall be appointed to terms of two  
12          years and are eligible for reappointment.

13          (2) The Governor shall make the initial appointments of  
14          members under subsection (a)(2) within 90 days of the  
15          effective date of this paragraph. Initial terms for members  
16          appointed by the Governor shall be divided between one-year  
17          and two-year terms.

18          (3) The Governor may remove an appointed member of the  
19          board for cause upon written notice to the board.

20          (4) A member's nonparticipation in three consecutive  
21          board meetings may be considered cause for removal.

22          (d) Organization.--The board shall elect a chairperson by  
23          majority vote and may adopt any bylaws or procedures it deems  
24          necessary to accomplish its purpose.

25          (e) Meetings.--The board shall meet at least once quarterly  
26          and shall hold other meetings as the board deems necessary. The  
27          board is authorized to establish rules of operation.

28          (f) Quorum.--A majority of the members of the board shall  
29          constitute a quorum for the transaction of business, and all  
30          actions of the board shall be by the approval of a majority of

1 all the members of the board.

2 (g) Compensation.--The members of the board shall serve  
3 without compensation but shall be reimbursed for their actual  
4 and necessary travel and other expenses in connection with  
5 attendance at meetings called by the chairperson.

6 (h) Records.--The board shall keep a record of all  
7 proceedings which shall be open to inspection by the public.

8 Section 4. Powers and duties of board.

9 Subject to section 5, the board shall have the following  
10 powers and duties:

11 (1) To collect and disseminate to the public information  
12 of Commonwealth agencies relative to the planning, siting,  
13 construction, operation, maintenance, management, inspection  
14 and safety of and emergency response procedures for  
15 pipelines.

16 (2) To coordinate communications relating to pipeline  
17 activities with Federal, State and local government agencies  
18 and regulatory authorities, pipeline companies and the  
19 public.

20 Section 5. Access to information and records.

21 (a) Interagency cooperation.--Commonwealth agencies that  
22 have information relating to pipelines shall cooperate in  
23 providing the information, upon request, to the board.

24 (b) Logging of information.--When the board collects  
25 information relating to pipelines from a Commonwealth agency,  
26 the board shall log the information and identify the  
27 Commonwealth agency providing the information.

28 (c) Right-to-Know requests.--If the board receives a request  
29 under the act of February 14, 2008 (P.L.6, No.3), known as the  
30 Right-to-Know Law, for information collected by the board from a

1 Commonwealth agency, the board shall immediately forward the  
2 request to the Commonwealth agency for review and response,  
3 under the Right-to-Know Law, unless otherwise directed by the  
4 Commonwealth agency in writing to the board.

5 Section 6. Repeal.

6 (1) The General Assembly declares that the repeal under  
7 paragraph (2) is necessary to effectuate this act.

8 (2) The act of November 29, 2006 (P.L.1435, No.156),  
9 known as the Public Utility Confidential Security Information  
10 Disclosure Protection Act, is repealed.

11 Section 7. Effective date.

12 This act shall take effect in 60 days.