

No. 2001-104

AN ACT

SB 696

Amending the act of July 6, 1989 (P.L.169, No.32), entitled, as amended, "An act providing for the regulation of storage tanks and tank facilities; imposing additional powers and duties on the Department of Environmental Protection and the Environmental Quality Board; and making an appropriation," defining "environmental media"; and providing for certain notification when there are releases from storage tanks.

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

Section 1. Section 103 of the act of July 6, 1989 (P.L.169, No.32), known as the Storage Tank and Spill Prevention Act, is amended by adding a definition to read:

Section 103. Definitions.

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

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"Environmental media." Soil, sediment, surface water, groundwater, bedrock and air.

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Section 2. Section 904 of the act is amended by adding a subsection to read:

Section 904. Notification.

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(e) Releases from storage tanks.—Upon the occurrence of a release from a storage tank, the owner or operator of the storage tank shall immediately notify the appropriate regional office of the department. The owner or operator shall notify the department as soon as practicable but no later than 24 hours after the confirmation of a reportable release. Within 15 days of the notice required under this subsection, the owner or operator shall provide written notification to the department and to each municipality in which the reportable release has occurred and each municipality where that release has impacted environmental media or water supplies, buildings or sewer or other utility lines. The written notification shall describe, to the extent the information is available, the regulated substance involved in the release, the quantity of the substance released, when the release occurred, where the release occurred, the affected environmental media and relevant information concerning the effect of the release on public health, impacts to water supplies, buildings or to sewer or other utility lines. The notice shall also include information on remedial actions that are planned, initiated or completed. The owner

or operator shall also provide written notification to the department and each impacted municipality of new impacts to environmental media or water supplies, buildings or sewer or other utility lines discovered after the initial written notification required under this subsection. This written notification shall be made within 15 days of the discovery of the new impact. If the department determines at any time that the release poses an immediate threat to public health and safety, the department and any impacted municipalities may evaluate and implement reasonable procedures to provide the public with appropriate information about the situation, which may, at a minimum, include a summary of the details surrounding the release and its impacts in a newspaper of general circulation serving the area in which the impacts are occurring.

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

APPROVED—The 17th day of December, A.D. 2001.

MARK S. SCHWEIKER