

No. 1979-49

AN ACT

HB 53

To enhance the Commonwealth's environmental radiation surveillance and emergency radiation response capabilities by granting certain powers to the Department of Environmental Resources.

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

Section 1. Short title.

This act shall be known and may be cited as the "Environmental Radiation Protection Act."

Section 2. Findings and declaration of policy.

The General Assembly finds that there exist within the Commonwealth of Pennsylvania several nuclear power plants in operation or under construction and other major facilities utilizing large quantities of radioactive materials. Pennsylvania highways and rail systems are used with increasing frequency to transport spent reactor fuel and other sources of radioactive material. In order to minimize the effects of exposure to radiation from both routine and accidental releases of radioactive material to the environment, the General Assembly finds it necessary and desirable to upgrade the present programs of environmental radiation monitoring and emergency radiation response now existing in the Department of Environmental Resources and to provide additional funding for such activities.

Section 3. Environmental radiation monitoring.

The Department of Environmental Resources shall have the power, and its duty shall be, to carry out a comprehensive program of monitoring levels of radioactivity in Pennsylvania's environment including all appropriate tests for alpha, beta and gamma levels in all appropriate media. Sites to be monitored shall include, but not be limited to, nuclear power reactor sites and other sites with a substantial potential for environmental radioactivity contamination.

Section 4. Radiation emergency response.

(a) The Department of Environmental Resources shall assist the Pennsylvania Emergency Management Agency in preparing a radiation emergency response plan in a manner consistent with the provisions of 35 Pa.C.S. § 7101 et seq. (relating to Emergency Management Services).

(b) The department shall also make available technical staff and equipment to determine levels of radiation in the environment and recommend emergency measures to protect the public from exposure to such radiation in the event of an accident at a nuclear power plant, a transportation accident involving radioactive materials, or any other condition or occurrence which necessitates radiation emergency assistance at any location in the Commonwealth.

Section 5. Annual report.

The department shall prepare a report on environmental radiation levels, as determined by the monitoring program, on at least an annual basis. Copies of the report shall be submitted to the President pro tempore of the Senate and the Speaker of the House of Representatives of the General Assembly and shall be made available to the general public. The report shall also contain a description and analysis of any emergency responses or other actions taken by the department under this act and any other information about environmental radiation or radiation emergencies which the department deems to be of sufficient importance to call to the attention of the General Assembly and the citizens of the Commonwealth.

Section 6. Notification.

Whenever the Department of Environmental Resources during the course of its duties under this act, determines that levels of radiation exceed the normal range of radioactivity in that area, the department shall immediately notify the Governor, the Nuclear Regulatory Commission and also report its findings to the public, and it shall subsequently submit a detailed report on the occurrence to both the Governor and the Nuclear Regulatory Commission and make such report public.

Section 7. Effective date.

This act shall take effect immediately.

APPROVED—The 20th day of July, A. D. 1979.

DICK THORNBURGH