
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1855 Session of
2013

INTRODUCED BY HANNA, SWANGER, CALTAGIRONE, CARROLL, BIZZARRO,
HAGGERTY, COHEN, MCNEILL, KIRKLAND AND KINSEY,
NOVEMBER 25, 2013

REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS, NOVEMBER 25, 2013

AN ACT

1 Amending the act of December 7, 1990 (P.L.639, No.165), entitled
2 "An act establishing a Statewide hazardous material safety
3 program; creating the Hazardous Material Response Fund;
4 providing for the creation of Hazardous Material Emergency
5 Response Accounts in each county; further providing for the
6 powers and duties of the Pennsylvania Emergency Management
7 Agency, of the Pennsylvania Emergency Management Council and
8 of the counties and local governments; imposing obligations
9 on certain handlers of hazardous materials; and imposing
10 penalties," in hazardous material protection, further
11 providing for establishment and functions of local emergency
12 planning committees and for emergency reporting requirements.

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

15 Section 1. Sections 203(b) and 205(d) of the act of December
16 7, 1990 (P.L.639, No.165), known as the Hazardous Material
17 Emergency Planning and Response Act, amended December 20, 2000
18 (P.L.885, No.121), are amended to read:

19 Section 203. Establishment and functions of local emergency
20 planning committees.

21 * * *

22 (b) Membership.--A local committee shall be composed of the

1 county emergency management coordinator and 911 coordinator, one
2 county commissioner and at least one person selected from each
3 of the following groups:

4 (1) Elected officials representing local governments
5 within the county.

6 (2) Law enforcement, first aid, health, local
7 environmental, hospital and transportation personnel.

8 (3) Firefighting personnel.

9 (3.1) The regional PEMA office.

10 (4) Civil defense and emergency management personnel.

11 (5) Broadcast and print media.

12 (6) Community groups not affiliated with emergency
13 service groups.

14 (7) Owners and operators of facilities subject to the
15 requirements of SARA, Title III.

16 * * *

17 Section 205. Emergency reporting requirements.

18 * * *

19 (d) Facility duties.--The owner or operator of any facility
20 that manufactures, produces, uses, transfers, stores, supplies
21 or distributes any hazardous material after the effective date
22 of this subsection shall:

23 (1) Provide the emergency planning notification and
24 information required by sections 302(c) and 303(d) of SARA,
25 Title III, to the council, county emergency management
26 coordinator and 911 coordinator, regional PEMA office and the
27 appropriate local emergency planning committee within five
28 business days after an extremely hazardous substance is first
29 present at such facility.

30 (1.1) Require notification to the county emergency

1 management coordinator and 911 coordinator and regional PEMA
2 office.

3 (2) Submit its material safety data sheets or chemical
4 lists and emergency hazardous chemical inventory forms to the
5 Department of Labor and Industry, the appropriate local
6 emergency planning committee, the regional PEMA office and
7 the fire department with jurisdiction over the facility
8 within five business days after the hazardous chemical is
9 first present at the facility. The owner or operator shall
10 also comply with the requirements of section 311(d) (2) of
11 SARA, Title III, within five business days.
12 Section 2. This act shall take effect in 60 days.