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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 1257 Session of  
2018

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INTRODUCED BY DINNIMAN, RAFFERTY, KILLION, MCGARRIGLE,  
TARTAGLIONE AND FOLMER, SEPTEMBER 18, 2018

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REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,  
SEPTEMBER 18, 2018

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AN ACT

1 Amending Title 66 (Public Utilities) of the Pennsylvania  
2 Consolidated Statutes, in service and facilities, providing  
3 for information regarding transmission of hazardous liquids  
4 near school buildings.

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

7 Section 1. Chapter 15 of Title 66 of the Pennsylvania  
8 Consolidated Statutes is amended by adding a subchapter to read:

9 SUBCHAPTER C

10 INFORMATION REGARDING TRANSMISSION OF HAZARDOUS

11 LIQUIDS NEAR SCHOOL BUILDINGS

12 Sec.

13 1541. Definitions.

14 1542. Information regarding transmission of hazardous liquids  
15 near school buildings.

16 1543. Record requirement.

17 § 1541. Definitions.

18 The following words and phrases when used in this subchapter

1 shall have the meanings given to them in this section unless the  
2 context clearly indicates otherwise:

3 "Charter school." A charter school, a regional charter  
4 school or a cyber charter school.

5 "Chief school administrator." The superintendent of a school  
6 district, superintendent of an area vocational-technical school,  
7 executive director of an intermediate unit or chief executive  
8 officer of any charter school.

9 "Facilities." Facilities of a public utility engaged in the  
10 transmission of hazardous liquids by pipeline or conduit, any  
11 part of which is located within 1,000 feet of a school building.

12 "Hazardous liquid." As defined in 49 CFR 195.2 (relating to  
13 definitions).

14 "Nonpublic school." A nonprofit school, other than a school  
15 entity, wherein a resident of this Commonwealth may legally  
16 fulfill the compulsory school attendance requirements of Article  
17 XIII of the act of March 10, 1949 (P.L.30, No.14), known as the  
18 Public School Code of 1949, and which meets the requirements of  
19 Title VI of the Civil Rights Act of 1964 (Public Law 88-352, 78  
20 Stat. 241).

21 "Operator." An operator or owner of facilities.

22 "School." A school operated by a school entity or nonpublic  
23 school.

24 "School building." A building owned by or under the control  
25 of a school entity or nonpublic school where classes are taught  
26 or extracurricular activities are conducted on a regular basis.  
27 The term includes the following:

28 (1) A cyber charter school building where cyber charter  
29 school students congregate for classes.

30 (2) The grounds adjacent to a building or facility where

1 students congregate as part of the school day or a school-  
2 sponsored activity, including school playgrounds.

3 "School entity." A school district, charter school, regional  
4 charter school, cyber charter school, intermediate unit or area  
5 vocational-technical school.

6 "Transmission." The transportation, other than gathering, of  
7 hazardous liquids through a pipeline as that term is defined in  
8 49 CFR 195.2 (relating to definitions).

9 § 1542. Information regarding transmission of hazardous liquids  
10 near school buildings.

11 (a) General rule.--Within six months of the completion of  
12 construction of facilities and no later than January 15 of every  
13 odd-numbered year thereafter, an operator shall file with the  
14 commission the following information:

15 (1) the name of each school located within 1,000 feet of  
16 the facilities;

17 (2) the street address of each school building located  
18 within 1,000 feet of the facilities; and

19 (3) the identification (system name) of the facilities.

20 (b) Emergency response plan.--An operator shall:

21 (1) Upon written request from the governing board of a  
22 school entity or a nonpublic school, provide in writing the  
23 following parts of a pipeline emergency response plan that  
24 are relevant to a school building:

25 (i) a description and map of the facilities that are  
26 located within 1,000 feet of the school building;

27 (ii) a list of any product transported in the  
28 segment of the facilities that are located within 1,000  
29 feet of the school building;

30 (iii) the designated emergency number for the

1 operator;

2 (iv) information on the Commonwealth's excavation  
3 One Call System; and

4 (v) information on how to recognize, report and  
5 respond to a product release.

6 (2) Mail a copy of the information requested under  
7 paragraph (1) by certified mail, return receipt requested, to  
8 the chief school administrator of the school entity or the  
9 director of the nonpublic school.

10 (c) Meetings.--If requested by the governing board of the  
11 school entity or nonpublic school, an operator or the operator's  
12 representative shall appear at a regularly scheduled meeting of  
13 the governing board of a school entity or nonpublic school to  
14 explain the items listed in subsections (a) and (b) of this  
15 section if requested by the governing board of the school entity  
16 or nonpublic school.

17 § 1543. Record requirement.

18 (a) General rule.--An operator shall maintain records  
19 documenting compliance with the requirements of this subchapter.

20 (b) Maintenance of records.--Records of attendance and  
21 acknowledgment of receipt of the requested information by the  
22 chief school administrator of a school entity or the director of  
23 the nonpublic school shall be retained for five years from the  
24 date of the event that is commemorated by the record.

25 (c) Certified mail records.--Records of certified mail  
26 transmissions undertaken in compliance with this subsection  
27 shall satisfy the record-keeping requirements of this section.

28 Section 2. This act shall take effect in 60 days.