

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1895 Session of 2015

INTRODUCED BY METZGAR, BARRAR, CUTLER, JAMES, KOTIK, MILLARD, ROTHMAN, THOMAS, TOPPER AND PETRI, MARCH 14, 2016

AS REPORTED FROM COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY, HOUSE OF REPRESENTATIVES, AS AMENDED, MARCH 16, 2016

AN ACT

1 Amending the act of July 6, 1989 (P.L.169, No.32), entitled, as
2 amended, "An act providing for the regulation of storage
3 tanks and tank facilities; imposing additional powers and
4 duties on the Department of Environmental Protection and the
5 Environmental Quality Board; and making an appropriation,"
6 further providing for Underground Storage Tank
7 Indemnification Board.

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

10 Section 1. Section ~~703(a)(1)~~ 703(A) of the act of July 6, <--
11 1989 (P.L.169, No.32), known as the Storage Tank and Spill
12 Prevention Act, amended January 30, 1998 (P.L.46, No.13), is
13 amended to read:

14 Section 703. Underground Storage Tank Indemnification Board.

15 (a) Establishment of board, appointment and terms.--There is
16 hereby created the Underground Storage Tank Indemnification
17 Board which shall consist of ten members. The Insurance
18 Commissioner and the Secretary of the Department of
19 Environmental Protection shall be ex officio members. Eight
20 members shall be appointed [by the Governor,] as follows: <--

1 (1) Six members who shall be persons with particular  
2 expertise in the management of underground storage tanks.  
3 Three of these members shall be appointed for terms of four  
4 years and three shall be appointed for a term of three years.  
5 The Governor shall appoint [the members,] TWO MEMBERS, THE <--  
6 PRESIDENT PRO TEMPORE OF THE SENATE SHALL APPOINT ONE MEMBER,  
7 THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL APPOINT ONE  
8 MEMBER, THE MINORITY LEADER OF THE SENATE SHALL APPOINT ONE  
9 MEMBER AND THE MINORITY LEADER OF THE HOUSE OF  
10 REPRESENTATIVES SHALL APPOINT ONE MEMBER. THE APPOINTMENTS  
11 SHALL INCLUDE one each from a list of nominees provided by  
12 each of the following:

13 (i) The Associated Petroleum Industries of  
14 Pennsylvania.

15 (ii) The Pennsylvania Petroleum Association.

16 (iii) The Service Station Dealers and Automotive  
17 Repair Association of Pennsylvania and Delaware and the  
18 Petroleum Retailers and Auto Repair Association, Inc.

19 (iv) [The Middle Atlantic Truck Stop Operators] A  
20 Statewide organization representing fuel retailers and  
21 food merchants.

22 (v) The Pennsylvania Farm Bureau, Pennsylvania State  
23 Grange and Pennsylvania Farmers Union.

24 (vi) The Tank Installers of Pennsylvania.

25 \* \* \*

26 (2) [ONE] THE GOVERNOR SHALL APPOINT ONE LOCAL <--  
27 GOVERNMENT MEMBER WHO SHALL HAVE KNOWLEDGE AND EXPERTISE IN  
28 UNDERGROUND STORAGE TANKS. THE LOCAL GOVERNMENT MEMBER SHALL  
29 BE APPOINTED FOR A TERM OF TWO YEARS.

30 (3) [ONE] THE GOVERNOR SHALL APPOINT ONE PUBLIC MEMBER

1 WHO SHALL NOT BE AN OWNER OR OPERATOR OF STORAGE TANKS NOR  
2 AFFILIATED IN ANY WAY WITH ANY PERSON REGULATED UNDER THIS  
3 ACT. THE PUBLIC MEMBER SHALL BE APPOINTED FOR A TERM OF THREE  
4 YEARS.

5 \* \* \*

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