

BYLAWS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
STORAGE TANK ADVISORY COMMITTEE

ARTICLE I. NAME: The name of this Committee shall be the Department of Environmental Protection's Storage Tank Advisory Committee ("Committee").

ARTICLE II. AUTHORIZATION: This Committee is authorized and organized pursuant to Section 105 of the Storage Tank and Spill Prevention Act (Act 32 of 1989), as amended.

ARTICLE III. PURPOSE: This Committee is created to assist the Department of Environmental Protection (Department) in the development of policies and regulations to effectively implement the storage tank and spill prevention program. As provided under Section 105 of the Storage Tank and Spill Prevention Act, the Department shall consult with the Committee in the formulation, drafting and presentation of all regulations promulgated under the Act. The Committee shall be given a reasonable opportunity to review and comment on all regulations prior to their submission to the Environmental Quality Board for consideration. The written report of the Committee shall be presented to the Environmental Quality Board with any regulatory proposal.

ARTICLE IV. MEMBERSHIP: The membership of the Committee shall be appointed by Secretary of the Department (Secretary). The Committee shall consist of 16 members. Four members shall be representatives of local government, five members shall be representatives of the regulated community, one member shall be a registered professional engineer with three years of experience in the Commonwealth of Pennsylvania, one member shall be a hydrogeologist, four members shall be representatives of the public and one member shall be an active commercial farm owner or operator nominated by Statewide general farm organizations. The regulated community shall be represented by one member from each of the following organizations: the Associated Petroleum Industries of Pennsylvania, the Pennsylvania Petroleum Association, the Alliance of Automotive Service Providers of Pennsylvania or the Petroleum Retailers and Auto Repair Association, Incorporated, the Pennsylvania Chemical Industry Council, and the Tank Installers of Pennsylvania.

Each member may designate one alternate. Alternate members must be appointed by the Secretary in the same manner as the members. Members and alternate members shall be appointed for a four-year term. The Secretary shall also reappoint members and alternate members to the Committee.

In the event that a Committee member cannot attend a scheduled meeting, the member shall arrange for their alternate to serve in their absence. Any Committee member or their alternate member not attending three consecutive meetings may be recommended for removal. This recommendation will be made by the Chairperson to the Secretary.

ARTICLE V. VOTING: Each member (or alternate member serving in the absence of the member) shall be entitled to one vote, in person, on all matters as shall come before the Committee. Recommendations, positions or other actions of the Committee shall be by a majority of voting members or alternate members present at a meeting duly convened and at which a quorum is present. A majority of sitting members (or alternate members serving in the absence of the member) shall constitute a quorum for transacting business at any meeting of the Committee.

ARTICLE VI. OFFICERS: The officers of the Committee shall be a Chairperson and a Vice-Chairperson.

It shall be the duty of the Chairperson to preside at all meetings of the Committee, call special meetings, and perform such other duties as pertain to the office of the Chairperson, such as the appointment of subcommittees and subcommittee chairpersons.

It shall be the duty of the Vice-Chairperson to perform the duties of the Chairperson in their absence. The Vice-Chairperson shall also assist the Chairperson in the performance of such duties as may be assigned by the Chairperson.

The officers of the Committee shall be elected at a scheduled meeting of the Committee, and shall hold office for a term of two years or until successors are elected.

At least 30 days prior to the election of officers, a nominating committee shall be appointed by the Chairperson. The nominating committee shall consist of three members of the Committee who shall prepare a list of nominations for the offices of Chairperson and Vice-Chairperson. The nominating committee's report shall list one or two nominations for the Chairperson and Vice-Chairperson. The consent of the candidates named must be obtained before the nominations are presented. The name of those nominees by office shall be distributed to all members of the Committee at least one week prior to the meeting at which the election will be held. Additional nominations to either office may also be made from the floor at the time of the election.

ARTICLE VII. ADMINISTRATION: The Department shall provide the appropriate administrative and technical support needed by the Committee in order to accomplish its purpose including: (a) providing notice of the meetings to the Committee; (b) recording and keeping a permanent record of the meeting minutes; (c) conducting correspondence; and (d) performing such other duties as may be requested by the Committee and agreed to by the Department.

ARTICLE VIII. MEETINGS: The Committee will schedule four meetings each year. Regular meeting dates shall be established on an annual basis. Changes to meeting dates and additional meetings shall be called by the Chairperson subject to approval by the Committee. Meetings shall be subject to Robert's Rules of Order. Subcommittee meetings shall be called by the subcommittee chairpersons with notification to the full Committee.

ARTICLE IX. COMPENSATION: If requested, members shall be reimbursed by the Department for their actual and necessary travel and subsistence expenses incurred in the performance of their duties, in accordance with Commonwealth Policy. Alternate members are eligible to be reimbursed in accordance with Commonwealth Policy only in the event that the member is unable to attend an official meeting. Reimbursement for travel related costs is limited to either the member or alternate member – both individuals will not be reimbursed for attending the same committee meeting.

ARTICLE X. AMENDMENTS: The bylaws may be amended, repealed, or suspended at any meeting of the Committee by a two-thirds vote of the members of the Committee present at the meeting provided that a quorum has been reached and written notice of such amendment, repeal, or suspension shall have been sent by the Department to each member at least one week prior to the meeting.

April 1990

Revised June 20, 1995

Revised and Restated September 1, 2015