Notification Requirements for Spills and Pollution Incidents Under PA’s Clean Streams Law

383-4200-003
Water Resources Advisory Committee
July 29, 2020

Tom Wolf, Governor
Patrick McDonnell, Secretary
Notification requirements for substance or incident causing or threatening pollution
Who Does It Apply To?

‘Responsible Party’

• Person in charge of substance
• Person owning or in possession of premises, facility, vehicle, or vessel from or on which substance is discharged or placed
Related Regulations

- 25 Pa. Code § 91.33
  - Spill and pollution incidents
- 25 Pa. Code § 92a.41(b)
  - NPDES permittees and activities
Requirements

• Stop the discharge
• Contact emergency services (911)
• Contact DEP
  • As soon as possible
  • Regardless of whether discharge can or cannot be stopped
  • Appropriate emergency contact number
Requirements

• 25 Pa. Code § 91.33
  • Immediate reporting by phone
  • DEP, downstream users

• 25 Pa. Code § 92a.41(b)
  • § 91.33 immediate reporting
  • “as soon as possible, but no later than four hours after the permittee becomes aware of the incident”
DEP recommends that responsible persons exercise caution and contact DEP if the release to waters of the Commonwealth may endanger downstream users, may result in pollution, may create a danger of pollution, or may damage property.
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