

# Commonwealth of Pennsylvania



## Governor's Office

### PROCLAMATION OF DISASTER EMERGENCY

May 9, 2013

*WHEREAS, On May 9, 2013, a tanker truck carrying approximately 7500 gallons of diesel fuel overturned on the ramp and highway bridge that carries two lanes of traffic over Interstate Route 81 North to US Route 22/322 westbound, in Dauphin County, Pennsylvania; and*

*WHEREAS, a massive fire ensued on the surface of the bridge as a result of the tanker truck overturning; and*

*WHEREAS, investigations made at my direction have disclosed that the fire has caused significant damage to the ramp and bridge and rendered the roadway surface impassable, and has also caused structural damage to a highway bridge above the scene of the fire which will require the demolition and replacement of part or all of that bridge; and*

*WHEREAS, this disaster emergency has affected both Interstate 81 and the US Route 22/322 exit ramp/bridge to Cameron Street, resulting in the closure of Interstate 81 in both directions and US Route 22/322 westbound; and*

*WHEREAS, this disaster emergency is anticipated to result in ongoing closure of Interstate 81 and US Route 22/322 during the demolition and replacement of parts of the bridge which sustained structural damage; and*

*WHEREAS, this disaster emergency has caused a severe disruption to modes of transportation in the Capitol Region, including the counties of Dauphin, Cumberland, Perry, York and Lebanon, seriously interfering with the ability of residents to travel to and from their places of residence to their places of business or other sources of livelihood; and*

*WHEREAS, this disaster emergency has created serious and emergent disruption to commerce and transportation across the Commonwealth and potentially throughout the Northeast United States and Mid-Atlantic region by severing the established trade and travel patterns for transporting all manner of commercial products; and*

*WHEREAS, in addition to the economic aspects of this disaster emergency, there is serious concern for the safety, health and welfare of the residents in the vicinity of the damaged bridge and roads, and for the potential environmental impact of the disaster emergency on nearby waters, wetlands, parks and lands; and*

*WHEREAS, it is necessary to take immediate steps to stabilize the affected areas and to provide for the soonest possible reopening of Interstate 81 and US Route 22/322; and*

*WHEREAS, Title 23 U.S.C. §§120 and 125 have made provisions for assistance to states in catastrophic circumstances such as these.*

*NOW, THEREFORE, pursuant to the provisions of Subsection §7301(c) of the Emergency Management Services Code (35 Pa. C.S. Section §7101 et seq.), I do hereby proclaim the existence of a disaster emergency in the Commonwealth; and*

*FURTHER, I hereby authorize the immediate demolition, repair, replacement and reconstruction, as necessary, of the highway structures and facilities in the area of the intersection of Interstate Route 81 and U. S. Route 22/322 in Dauphin County as vital to the security, well-being and health of the citizens of the Commonwealth of Pennsylvania, and the U. S. Department of Transportation Federal Highway Administration is hereby requested to concur in the declaration of disaster emergency; and*

*FURTHER, I hereby authorize and direct that the Pennsylvania Emergency Management Agency Director or designee assume command and control of all statewide emergency operations and that all Commonwealth departments and agencies, under the direction of the Pennsylvania Emergency Management Agency Director or designee, utilize all available resources and personnel as is deemed necessary to cope with the magnitude and severity of this disaster emergency; and*

*FURTHER, I hereby transfer up to \$2,000,000 in unused appropriated funds to the Pennsylvania Emergency Management Agency. The aforementioned funds shall be used for disaster-related expenses incurred by various state agencies and departments. These funds shall be credited to a special account established by the Office of the Budget. All Commonwealth agencies purchasing supplies or services in response to this disaster emergency are authorized to utilize the emergency procurement procedures set forth in Section 516 of the Commonwealth Procurement Code, 62 Pa. C.S. Section 516. This Proclamation shall serve as the written determination of the basis for the emergency under Section 516; and*

*FURTHER, I hereby direct the Pennsylvania Emergency Management Agency to staff the State Emergency Operations Center as necessary for the duration of this disaster emergency and to augment it with personnel from other state agencies and departments. I also authorize the Agency to direct and coordinate the emergency response, recovery, and mitigation activities of other state agencies and departments as deemed necessary to deal with the exigencies of this disaster emergency through implementation of the State Emergency Operations Plan; and*

*FURTHER, I hereby direct the Secretaries of Environmental Protection and Health to be prepared to conduct all appropriate and necessary damage assessments of the affected areas under their respective jurisdictions to determine the magnitude and severity of damage resulting from the disaster emergency; and*

*FURTHER, I hereby authorize the Secretary of Transportation to use all available equipment, resources and personnel of the Department and to dispense with time-consuming bid and contract procedures and formalities, in whatever manner he deems necessary, to insure that the damage to the bridge and related facilities and structures is repaired as expeditiously as possible. I hereby waive any laws or regulations that would restrict the application and use of the Department's equipment, resources and personnel to respond immediately and effectively in demolishing, repairing, reconstructing or replacing the affected highway and related facilities, in conducting any detour operations, and in undertaking any new construction, as required; and*

*FURTHER, I hereby authorize the Commissioner of the Pennsylvania State Police, in coordination with the Pennsylvania Emergency Management Agency Director or designee, to use all available resources and personnel of the Department, in whatever manner he deems necessary, to aid in the recovery aspects related to all interstate, other federal and state highways in the Commonwealth to address this disaster emergency; and*

*FURTHER, I hereby direct that all applicable state, county, municipal, and other emergency response plans be activated and that all state, county, and municipal actions taken to implement those plans be coordinated through the Pennsylvania Emergency Management Agency; and*

*FURTHER, I hereby suspend the provisions of any other regulatory statute prescribing the procedures for conduct of Commonwealth business, or the orders, rules or regulations of any Commonwealth agency, if strict compliance with the provisions of any statute, order, rule or regulation would in any way prevent, hinder, or delay necessary action in coping with this disaster emergency. All Commonwealth agencies may implement their emergency assignments without regard to procedures required by other laws, except mandatory constitutional requirements, pertaining to the performance of public work, entering into contracts, incurring of obligations, employment of temporary workers, rental of equipment, purchase of supplies and materials, and expenditures of public funds; and*

*STILL FURTHER, I hereby urge the governing bodies and executive officers of all political subdivisions that may be affected by this emergency to act as necessary to meet the current exigencies as legally authorized under this proclamation, including by the employment of temporary workers; by the rental of equipment; and by entering into such contracts and agreements as may be required to meet the emergency, all without regard to those time-consuming procedures and formalities normally prescribed by law, mandatory constitutional requirements excepted.*

*GIVEN under my hand and the Seal of the Governor, at the City of Harrisburg, this ninth day of May in the year of our Lord two thousand thirteen, and of the Commonwealth the two hundred and thirty-seventh.*



*Tom Corbett*  
TOM CORBETT  
Governor