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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 33

Session of  
1991

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INTRODUCED BY LLOYD, NAHILL, FREEMAN, E. Z. TAYLOR, CARONE,  
STABACK, DeLUCA, TRELLO, BILLOW, GIGLIOTTI, HALUSKA,  
BELFANTI, G. SNYDER, D. R. WRIGHT, CARLSON, BUSH, LAUGHLIN,  
M. N. WRIGHT, LUCYK, COY, PESCI, BUNT, SURRA AND COLAIZZO,  
JANUARY 15, 1991

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REFERRED TO COMMITTEE ON CONSERVATION, JANUARY 15, 1991

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AN ACT

1 Prohibiting land application of sewage sludge.

2 The General Assembly of the Commonwealth of Pennsylvania  
3 hereby enacts as follows:

4 Section 1. Prohibition by county commissioners.

5 Notwithstanding any other provision of law, the board of  
6 commissioners of any county may, by a majority vote, prohibit  
7 the land application of sewage sludge within that county if the  
8 source of that sludge is a sewage collection system or a sewage  
9 treatment facility located outside that county.

10 Section 2. Sites affected.

11 In exercising its authority under section 1, the board of  
12 commissioners may adopt either a prohibition of the land  
13 application of sewage sludge on all land in the county or a  
14 prohibition of the land application of sewage sludge only on  
15 specific sites in the county. If the board of commissioners  
16 chooses to prohibit the land application of sewage sludge only

1 on specific sites rather than countywide, the board shall be  
2 empowered to add to, and subtract from, the prohibited sites on  
3 an ongoing basis.

4 Section 3. Exceptions.

5 This act shall not be construed to prohibit the:

6 (1) Placement of sewage sludge into landfills.

7 (2) Disposal of wastes from on-lot sewage systems.

8 (3) Land application of animal wastes as part of normal  
9 farming operations.

10 Section 4. Conflicting permits superseded.

11 Any prohibition imposed by a board of commissioners of any  
12 county acting pursuant to this act shall supersede any permit,  
13 license or other form of approval for the land application of  
14 sewage sludge granted by the Department of Environmental  
15 Resources pursuant to the act of July 7, 1980 (P.L.380, No.97),  
16 known as the Solid Waste Management Act, or pursuant to any  
17 other act prior to, on or after the effective date of this act,  
18 except that this act shall not apply to any sewage sludge  
19 applied to land within that county prior to the effective date  
20 of this act.

21 Section 5. Effective date.

22 This act shall take effect immediately.