

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 35

Session of
1993

INTRODUCED BY LLOYD, SURRA, STABACK, FAIRCHILD, BAKER, PETRARCA,
MIHALICH, FEE, SCRIMENTI, PESCI, KUKOVICH, LAUGHLIN, HESS,
KING, McCALL, TIGUE, PISTELLA, TANGRETTI, MICOZZIE,
STEIGHNER, LUCYK, FREEMAN AND KASUNIC, JANUARY 27, 1993

REFERRED TO COMMITTEE ON RULES, JANUARY 27, 1993

AN ACT

1 Regulating the construction and expansion of landfills and the
2 disposal of waste.

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

5 Section 1. Prohibition of construction and expansion.

6 Notwithstanding any other provision of law, the board of
7 commissioners of any county may prohibit the construction or
8 expansion of a landfill within the county if the board
9 determines that the capacity of the landfill to be constructed
10 or expanded would exceed the capacity needed for the disposal of
11 waste generated within the county.

12 Section 2. Definitions.

13 The following words and phrases when used in this act shall
14 have the meanings given to them in this section unless the
15 context clearly indicates otherwise:

16 "Waste." Includes municipal waste and residual waste as
17 those terms are defined in the act of July 7, 1980 (P.L.380,

1 No.97), known as the Solid Waste Management Act.

2 Section 3. Prohibition of disposal.

3 Notwithstanding any other provision of law, the board of
4 commissioners of any county may prohibit the disposal, at any
5 landfill within the county, of any waste generated outside the
6 county if the board determines that disposing of that waste at
7 that landfill would significantly diminish the landfill capacity
8 available within the county for the disposal of waste generated
9 within the county.

10 Section 4. Conflicting permits superseded.

11 Any prohibition imposed by a board of commissioners of any
12 county acting under this act shall supersede any permit, license
13 or other form of approval for the construction or expansion of a
14 landfill or the disposal of waste granted by the Department of
15 Environmental Resources under the act of July 7, 1980 (P.L.380,
16 No.97), known as the Solid Waste Management Act, or under any
17 other act.

18 Section 5. Severability.

19 The provisions of this act are severable. If any provision of
20 this act or its application to any person or circumstance is
21 held invalid, the invalidity shall not affect other provisions
22 or applications of this act which can be given effect without
23 the invalid provision or application.

24 Section 6. Effective date.

25 This act shall take effect immediately.