
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1058 Session of
2013

INTRODUCED BY GOODMAN, BOBACK, V. BROWN, BROWNLEE, CALTAGIRONE,
COHEN, D. COSTA, DeLUCA, FRANKEL, HARHAI, HESS, KORTZ, KOTIK,
MATZIE, MCCARTER, McGEEHAN, MILLARD, O'BRIEN, SCHLOSSBERG AND
SWANGER, MARCH 25, 2013

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,
MARCH 25, 2013

AN ACT

1 Amending the act of July 28, 1988 (P.L.556, No.101), entitled
2 "An act providing for planning for the processing and
3 disposal of municipal waste; requiring counties to submit
4 plans for municipal waste management systems within their
5 boundaries; authorizing grants to counties and municipalities
6 for planning, resource recovery and recycling; imposing and
7 collecting fees; establishing certain rights for host
8 municipalities; requiring municipalities to implement
9 recycling programs; requiring Commonwealth agencies to
10 procure recycled materials; imposing duties; granting powers
11 to counties and municipalities; authorizing the Environmental
12 Quality Board to adopt regulations; authorizing the
13 Department of Environmental Resources to implement this act;
14 providing remedies; prescribing penalties; establishing a
15 fund; and making repeals," further providing for site
16 limitation.

17 The General Assembly of the Commonwealth of Pennsylvania
18 hereby enacts as follows:

19 Section 1. Section 511(a) of the act of July 28, 1988
20 (P.L.556, No.101), known as the Municipal Waste Planning,
21 Recycling and Waste Reduction Act, is amended to read:

22 Section 511. Site limitation.

23 (a) General rule.--The department shall not issue a permit

1 for, nor allow the operation of, a new municipal waste landfill,
2 a new commercial residual waste treatment facility or a new
3 resource recovery facility within 300 yards of a building which
4 is owned by a school district or a parochial school and used for
5 instructional purposes, parks or playgrounds existing prior to
6 the date the department has received an administratively
7 complete application for a permit for such facilities. A new
8 municipal waste, residual waste or construction and demolition
9 waste landfill may not be permitted to operate within one mile
10 of a reservoir that serves as a water source for a community
11 water system, as defined in section 3 of the act of May 1, 1984
12 (P.L.206, No.43), known as the Pennsylvania Safe Drinking Water
13 Act. This subsection shall not affect any modification,
14 extension, addition or renewal of existing permitted facilities.

15 * * *

16 Section 2. This act shall take effect in 60 days.