

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1783 Session of  
1987

INTRODUCED BY BURD, LIVENGOD, VAN HORNE, J. L. WRIGHT, TRELLO,  
FARGO, GODSHALL, NOYE, MERRY, ROBBINS, FARMER, JOHNSON, GEIST  
AND BOOK, OCTOBER 5, 1987

REFERRED TO COMMITTEE ON CONSERVATION, OCTOBER 5, 1987

AN ACT

1 Amending the act of July 7, 1980 (P.L.380, No.97), entitled "An  
2 act providing for the planning and regulation of solid waste  
3 storage, collection, transportation, processing, treatment,  
4 and disposal; requiring municipalities to submit plans for  
5 municipal waste management systems in their jurisdictions;  
6 authorizing grants to municipalities; providing regulation of  
7 the management of municipal, residual and hazardous waste;  
8 requiring permits for operating hazardous waste and solid  
9 waste storage, processing, treatment, and disposal  
10 facilities; and licenses for transportation of hazardous  
11 waste; imposing duties on persons and municipalities;  
12 granting powers to municipalities; authorizing the  
13 Environmental Quality Board and the Department of  
14 Environmental Resources to adopt rules, regulations,  
15 standards and procedures; granting powers to and imposing  
16 duties upon county health departments; providing remedies;  
17 prescribing penalties; and establishing a fund," adding a  
18 definition; further providing for the definition of "solid  
19 waste"; further providing for powers and duties of the  
20 department and of the Environmental Quality Board; and  
21 providing for certain handling of composite ceramic  
22 manufacturing process waste.

23 The General Assembly of the Commonwealth of Pennsylvania  
24 hereby enacts as follows:

25 Section 1. The definition of "solid waste" in section 103 of  
26 the act of July 7, 1980 (P.L.380, No.97), known as the Solid  
27 Waste Management Act, amended December 12, 1986 (P.L.1556,

1 No.168), is amended and the section is amended by adding a  
2 definition to read:

3 Section 103. Definitions.

4 The following words and phrases when used in this act shall  
5 have, unless the context clearly indicates otherwise, the  
6 meanings given to them in this section:

7 \* \* \*

8 "Composite ceramic manufacturing process waste." A waste  
9 product resulting from the manufacturing of technical ceramic  
10 compounds, such product which is determined by the department,  
11 through chemical analysis, to contain no more than 100 ppm of  
12 allowable barium concentrate.

13 \* \* \*

14 "Solid waste." Any waste, including but not limited to,  
15 municipal, residual or hazardous wastes, including solid,  
16 liquid, semisolid or contained gaseous materials. The term does  
17 not include coal ash [or], drill cuttings or composite ceramic  
18 manufacturing process waste.

19 \* \* \*

20 Section 2. Section 508 of the act, added December 12, 1986  
21 (P.L.1556, No.168), is amended to read:

22 Section 508. Coal combustion ash [and], boiler slag and  
23 composite ceramic manufacturing process waste.

24 (a) Beneficial use, reuse or reclamation of coal ash or  
25 composite ceramic manufacturing process waste shall include, but  
26 not be limited to, the following if they comply with subsections  
27 (b), (c) and (d):

28 (1) The uses which are the subject of Federal  
29 Procurement Guidelines issued by the Environmental Protection  
30 Agency under section 6002 of the Solid Waste Disposal Act

(Public Law 89-272, 42 U.S.C. § 6962).

(2) The extraction or recovery of materials and compounds contained within coal ash.

(3) Those uses in which the physical or chemical characteristics are altered prior to use or during placement.

(4) The use of bottom ash as an anti-skid material.

(5) The use as a raw material for another product.

(6) The use for mine subsidence, mine fire control and mine sealing.

(7) The use as structural fill, soil substitutes or soil additives.

(8) The use of composite ceramic manufacturing process waste as a cement additive.

(b) The department may, in its discretion, establish siting criteria and design and operating standards governing the storage of coal ash or composite ceramic manufacturing process waste prior to beneficial use, reuse or reclamation.

(c) The department may, in its discretion, establish siting criteria and design and operating standards governing the use of coal ash or composite ceramic manufacturing process waste as structural fill, soil substitutes and soil additives. A person using coal ash or composite ceramic manufacturing process waste for such purposes shall notify the department prior to such use.

(d) The department may, in its discretion, certify coal ash or composite ceramic manufacturing process waste that is used as structural fill, soil substitutes and soil additives.

(1) Certification shall issue after the department has considered the following data:

(i) The facility from which the coal ash or composite ceramic manufacturing process waste is

1           originating.

2           (ii) The combustion and operating characteristics of  
3           the facility.

4           (iii) The physical and chemical properties of the  
5           coal ash or composite ceramic manufacturing process  
6           waste, including leachability.

7           (2) Generators of certified coal ash and composite  
8           ceramic manufacturing process waste shall notify the  
9           department whenever the data referred to in paragraph (1) are  
10          or have been significantly altered. At such time,  
11          recertification will be required.

12         Section 3. This act shall take effect in 60 days.