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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 398 Session of  
2015

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INTRODUCED BY KILLION, JAMES, GALLOWAY, BAKER, DUNBAR, FABRIZIO  
AND MUSTIO, FEBRUARY 9, 2015

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REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,  
FEBRUARY 9, 2015

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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," in residual  
18 waste, further providing for transportation of residual  
19 waste; and abrogating a regulation.

20 The General Assembly of the Commonwealth of Pennsylvania  
21 hereby enacts as follows:

22 Section 1. Section 303 of the act of July 7, 1980 (P.L.380,  
23 No.97), known as the Solid Waste Management Act, is amended by  
24 adding subsections to read:

25 Section 303. Transportation of residual waste.

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1     (c) The department may not prohibit the vehicular  
2 transportation of leachate discharged from a collection and  
3 handling system of a landfill to an offsite facility for the  
4 treatment of the leachate.

5     (d) Definition.--As used in this section, the term  
6 "leachate" means as defined in 25 Pa. Code § 271.1 (relating to  
7 definitions).

8     Section 2. The regulations of the Department of  
9 Environmental Protection in 25 Pa. Code § 273.273(a), (b)(1),  
10 (2) and (3) and (e) (relating to leachate transportation) are  
11 abrogated.

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