
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 340 Session of
1995

INTRODUCED BY GEORGE, COY, KUKOVICH, TRELLO, PESCI, THOMAS,
LUCYK, LAUGHLIN AND STEELMAN, JANUARY 26, 1995

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,
JANUARY 26, 1995

AN ACT

1 Placing a moratorium on the construction of contaminated soil
2 incinerators; and directing the Conservation Committee of the
3 House of Representatives to study the effects of contaminated
4 soil incinerators on public health, the environment and the
5 economy.

6 The General Assembly finds and declares as follows:

7 (1) That incineration is a waste-processing method that
8 should be used only as an option of last resort for the
9 processing of contaminated waste for ultimate disposal.

10 (2) That the renewed interest in underground storage
11 tank cleanup will result in a great deal of contaminated soil
12 in the future and that State officials should carefully
13 examine other waste disposal options, including, but not
14 limited to, bio-remediation or land farming, before
15 permitting contaminated soil incinerators.

16 (3) That the possible adverse effects to public health,
17 the environment and the Commonwealth's economy from
18 constructing and operating contaminated soil incinerators
19 have not been adequately addressed.

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

3 Section 1. Short title.

4 This act shall be known and may be cited as the Contaminated
5 Soil Incinerator Moratorium Act.

6 Section 2. Definitions.

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

10 "Contaminated soil incinerator." An enclosed device using
11 controlled flame combustion, the primary purpose of which is to
12 thermally break down and purify soil contaminated with petroleum
13 products.

14 "Department." The Department of Environmental Resources of
15 the Commonwealth.

16 Section 3. Moratorium on construction of contaminated soil
17 incinerators.

18 The department is directed to immediately cease reviewing
19 applications or issuing new permits for new contaminated soil
20 incinerators for a period of 24 months.

21 Section 4. Powers and duties.

22 The Conservation Committee of the House of Representatives
23 shall have, in addition to its other powers and duties, the
24 power and its duties shall be:

25 (1) To study and evaluate the methods of contaminated
26 soil incineration or any other alternative to incineration.

27 (2) To evaluate the effects, if any, that contaminated
28 soil incineration has on the public health, the environment
29 and the economy.

30 (3) To evaluate current safety standards and to propose

1 any additional standards necessary to insure that the public
2 health is not adversely affected by contaminated soil
3 incineration.

4 (4) To report its findings and recommendations to the
5 Governor, the General Assembly and the department as soon as
6 possible and to make a final report on its findings and
7 recommendations within 24 months.

8 Section 5. Effective date.

9 This act shall take effect as follows:

10 (1) Section 3 and this section shall take effect
11 immediately.

12 (2) The remainder of this act shall take effect in 60
13 days.