
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2721 Session of
1998

INTRODUCED BY STAIRS, STEELMAN, ROBINSON, C. WILLIAMS,
WOJNAROSKI, COY, E. Z. TAYLOR, GEORGE, HASAY, SHANER, BAKER,
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HARHAI, HENNESSEY, SEMMEL, YOUNGBLOOD AND BELFANTI,
JUNE 10, 1998

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,
JUNE 10, 1998

AN ACT

1 Restricting the location of waste disposal facilities near
2 schools.

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

5 Section 1. Findings.

6 The General Assembly, conscious of the public health concerns
7 relating to air pollution and other deleterious effects of
8 various types of waste disposal, finds that the public health,
9 safety and welfare of public school students will be served by
10 placing restrictions on issuing permits for the construction and
11 operation of waste disposal facilities in close proximity to
12 public school buildings.

13 Section 2. Definitions.

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

1 "School entity." A school district, joint school district,
2 intermediate unit, area vocational-technical school or charter
3 school within this Commonwealth.

4 "Waste disposal facility." Any waste incinerator, waste
5 treatment facility, solid waste landfill or other operation
6 disposing of waste which is required to be permitted by the
7 Department of Environmental Protection under the act of January
8 8, 1960 (1959 P.L.2119, No.787), known as the Air Pollution
9 Control Act, or the act of July 7, 1980 (P.L.380, No.97), known
10 as the Solid Waste Management Act.

11 Section 3. Prohibition of waste disposal facility near school
12 entity.

13 (a) New construction.--On and after the effective date of
14 this act, the Department of Environmental Protection may not
15 issue a permit for any new waste disposal facility within 1,000
16 yards of a building which is owned by a school entity.

17 (b) Modifications.--Any modification, extension, addition or
18 renewals of existing permitted facilities may not bring the
19 existing permitted facility closer to a building owned by a
20 school entity.

21 Section 4. Exceptions.

22 This act shall not apply to:

23 (1) Waste disposal facilities which received permits
24 before the effective date of this act.

25 (2) Waste disposal facilities proposed to be utilized by
26 municipalities or authorities and which before the effective
27 date of this act have entered into contracts for the
28 construction of such facilities or completed an escrow or
29 permanent bond financing.

30 (3) Waste disposal facilities proposed to be utilized by

1 more than one municipality, for which municipalities have
2 executed intermunicipal pacts and have expended public funds
3 prior to the effective date of this act.

4 Section 5. Effective date.

5 This act shall take effect immediately.