
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 475 Session of
1998

INTRODUCED BY GEORGE, DeWEESE, ITKIN, OLASZ, MELIO, M. COHEN,
TRELLO, GIGLIOTTI, EVANS, BELFANTI, SURRA, MUNDY, LEVDANSKY,
HARHAI, FAIRCHILD, WALKO, LAUGHLIN, CAPPABIANCA, CAWLEY,
BOSCOLA, SHANER, SCRIMENTI, HANNA, CURRY, COLAFELLA, EACHUS,
McNAUGHTON, GORDNER, READSHAW, COLAIZZO, TIGUE, WOJNAROSKI,
HALUSKA, McCALL, JOSEPHS, CORPORA, DeLUCA, YOUNGBLOOD,
KIRKLAND AND RAMOS, MAY 11, 1998

REFERRED TO COMMITTEE ON RULES, MAY 11, 1998

A RESOLUTION

1 Memorializing the Congress of the United States to enact solid
2 waste legislation with provisions analogous to the Low-Level
3 Radioactive Waste Policy Act encouraging states to form
4 regional compacts for the establishment of regional solid
5 waste disposal facilities and granting states the authority
6 to restrict the use of those facilities to the disposal of
7 solid waste generated within the compact region.

8 WHEREAS, The Supreme Court of the United States has
9 consistently held that in the absence of congressional
10 authorization, it is an unconstitutional interference with
11 interstate commerce for a state to restrict the shipment of
12 solid waste into that state; and

13 WHEREAS, Of the approximately 280 million tons of municipal
14 waste generated in the United States as of 1995, about 25
15 million tons of such waste moves across state lines every year;
16 and

17 WHEREAS, Pennsylvania, by far the leading importer of out-of-
18 state refuse, receives almost one-third of the 25 million tons

1 of municipal waste transported across state lines annually; and

2 WHEREAS, The continued inability of the various states to
3 limit in any manner the inflow of large amounts of solid waste
4 may pose potential threats to the health, safety and welfare of
5 their residents; and

6 WHEREAS, The current proposal before the Congress of the
7 United States which would empower individual states to restrict
8 or prohibit the shipment of solid waste into a state from
9 another state has limited support and may not be an effective
10 means of solving the solid waste disposal problem; and

11 WHEREAS, Provisions of the Low-Level Radioactive Waste Policy
12 Act (Public Law 96-573, 42 U.S.C. § 2021b et seq.), which
13 encourages states to form regional compacts of two or more
14 states for the establishment of regional low-level radioactive
15 waste disposal facilities and grants states the authority to
16 restrict the use of their facilities to compact members, can
17 function as appropriate models for provisions of solid waste
18 legislation; and

19 WHEREAS, Cooperation between and among states through the
20 formation of compacts and accompanying authority to restrict the
21 inflow of waste from outside the compact helps to ensure the
22 orderly and safe disposal of waste transported across state
23 lines and enhance planning for future disposal capacity;
24 therefore be it

25 RESOLVED, That the House of Representatives of the
26 Commonwealth of Pennsylvania memorialize Congress to enact solid
27 waste legislation with provisions analogous to the Low-Level
28 Radioactive Waste Policy Act encouraging states to form regional
29 compacts for the establishment of regional solid waste disposal
30 facilities and granting states the authority to restrict the use

1 of the facilities to the disposal of solid waste generated
2 within the compact region; and be it further
3 RESOLVED, That copies of this resolution be transmitted to
4 the presiding officers of each house of Congress and to each
5 member of Congress from Pennsylvania.