

## 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 Protection 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 general  
18 provisions, providing for areas where landfills are  
19 prohibited.

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

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

25 Section 109. Areas where landfills are prohibited.

26 A landfill designed, operated or maintained for the disposal

1 of municipal waste, residual waste or hazardous waste may not be  
2 located within three miles of the border of a municipality  
3 having a population density of at least 1,000 residents per one  
4 square mile. This section shall apply to a landfill seeking a  
5 permit from the department to initially open, reopen or expand  
6 operations which has not been finally granted by the department  
7 and a court having final jurisdiction, as applicable.

8 Section 2. This act shall take effect immediately.