

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 2,500 feet, measured horizontally, from an
3 occupied dwelling. This section shall apply to a landfill
4 seeking a permit from the department to initially open, reopen
5 or expand operations which has not been finally granted by the
6 department and a court having final jurisdiction, as applicable.

7 Section 2. This act shall take effect immediately.