

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2204 Session of
1990

INTRODUCED BY LUCYK, GEORGE, ALLEN AND ARGALL, JANUARY 2, 1990

REFERRED TO COMMITTEE ON CONSERVATION, JANUARY 2, 1990

AN ACT

1 Amending the act of June 22, 1937 (P.L.1987, No.394), entitled,
2 as amended, "An act to preserve and improve the purity of the
3 waters of the Commonwealth for the protection of public
4 health, animal and aquatic life, and for industrial
5 consumption, and recreation; empowering and directing the
6 creation of indebtedness or the issuing of non-debt revenue
7 bonds by political subdivisions to provide works to abate
8 pollution; providing protection of water supply and water
9 quality; providing for the jurisdiction of courts in the
10 enforcement thereof; providing additional remedies for
11 abating pollution of waters; imposing certain penalties;
12 repealing certain acts; regulating discharges of sewage and
13 industrial wastes; regulating the operation of mines and
14 regulating the impact of mining upon water quality, supply
15 and quantity; placing responsibilities upon landowners and
16 land occupiers and to maintain primary jurisdiction over
17 surface coal mining in Pennsylvania," further providing for
18 the department's powers and duties.

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

21 Section 1. Section 5(b)(1) of the act of June 22, 1937
22 (P.L.1987, No.394), known as The Clean Streams Law, amended
23 October 10, 1980 (P.L.894, No.157), is amended to read:

24 Section 5. Powers and Duties.--* * *

25 (b) The department shall have the power and its duty shall
26 be to:

1 (1) Formulate, adopt, promulgate and repeal such rules and
2 regulations and issue such orders as are necessary to implement
3 the provisions of this act. In doing so, however, it shall
4 provide that a person or municipality that possesses a permit
5 for impoundment for municipal waste disposal, which permit was
6 issued before April 9, 1988, may dispose of or process waste
7 under the permit until January 9, 1991, or until a new permit is
8 issued, whichever occurs first, if its landfill has remaining
9 capacity and if the amount disposed of or processed daily does
10 not exceed the average daily volume disposed of or processed in
11 the preceding year.

12 * * *

13 Section 2. This act shall be retroactive to April 9, 1990,
14 if enacted after that date.

15 Section 3. This act shall take effect immediately.