

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 937 Session of
1997

INTRODUCED BY BAKER, STERN, FAIRCHILD, YEWCIC, LYNCH, CAWLEY,
HUTCHINSON, PETRARCA, SEYFERT AND TRELLO, MARCH 18, 1997

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,
MARCH 18, 1997

AN ACT

1 Amending the act of February 9, 1988 (P.L.31, No.12), entitled
2 "An act providing for low-level radioactive waste disposal;
3 further providing for powers and duties of the Department of
4 Environmental Resources and the Environmental Quality Board;
5 providing for the siting of low-level radioactive waste
6 disposal facilities and for the licensing of operators
7 thereof; establishing certain funds and accounts for the
8 benefit of host municipalities and the general public;
9 establishing the Low-Level Waste Advisory Committee and
10 providing for its powers and duties; providing for membership
11 on the Appalachian States Low-Level Radioactive Waste
12 Commission; requiring certain financial assurances; providing
13 enforcement procedures; providing penalties; making repeals;
14 and making appropriations," deleting provisions relating to
15 eminent domain; and making editorial changes.

16 The General Assembly of the Commonwealth of Pennsylvania
17 hereby enacts as follows:

18 Section 1. The definitions of "department" and "secretary"
19 in section 103 of the act of February 9, 1988 (P.L.31, No.12),
20 known as the Low-Level Radioactive Waste Disposal Act, are
21 amended to read:

22 Section 103. Definitions.

23 The following words and phrases when used in this act shall
24 have the meanings given to them in this section unless the

1 context clearly indicates otherwise:

2 * * *

3 "Department." The Department of Environmental [Resources]
4 Protection of the Commonwealth.

5 * * *

6 "Secretary." The Secretary of Environmental [Resources]
7 Protection of the Commonwealth.

8 * * *

9 Section 2. Sections 301 heading and (6) and 307(g) of the
10 act are amended to read:

11 Section 301. Powers and duties of [the Department of
12 Environmental Resources] department.

13 The department shall have the power and its duty shall be to:

14 * * *

15 (6) Receive title to the land for use as a regional
16 facility from the licensee for eventual transfer to the
17 custodial agency [or acquire land by eminent domain in the
18 manner provided in the act of June 22, 1964 (Sp.Sess.,
19 P.L.84, No.6), known as the Eminent Domain Code, if the
20 operator-licensee designate cannot acquire the property prior
21 to submitting an application to the department for a
22 license].

23 * * *

24 Section 307. Site selection.

25 * * *

26 (g) Purchase of site.--Upon receiving a license to operate
27 the regional facility at the site, the operator shall purchase
28 the site and transfer title to all land to the Commonwealth. [If
29 the operator-licensee designate is unable to purchase the site,
30 the Commonwealth shall acquire the site by eminent domain and

1 the operator-licensee designate shall reimburse the Commonwealth
2 for all costs of acquisition.]

3 * * *

4 Section 3. This act shall take effect in 60 days.