

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 938 Session of  
1997

INTRODUCED BY BAKER, FAIRCHILD, YEWIC, LYNCH, CAWLEY, PETRARCA,  
WAUGH, FARGO, SEYFERT, TRELLO, RAMOS AND STEELMAN,  
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," further providing for site  
15 selection.

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

18 Section 1. Section 307(a) of the act of February 9, 1988  
19 (P.L.31, No.12), known as the Low-Level Radioactive Waste  
20 Disposal Act, is amended to read:

21 Section 307. Site selection.

22 (a) Screening report.--The operator-licensee designate shall  
23 conduct a study screening the Commonwealth for potentially

1 suitable sites in accordance with the siting regulations adopted  
2 pursuant to section 304 and shall prepare a screening report  
3 which documents the findings of the study. In no case shall a  
4 potentially suitable site be located within five miles of a  
5 river, stream, tributary, creek or other waterway, dam or  
6 impoundment or municipality where flash flooding and flooding-  
7 related damage have occurred within five years preceding the  
8 effective date of this amendatory act, or within five miles of  
9 an area where a disaster emergency was declared by the Governor  
10 within five years preceding the effective date of this  
11 amendatory act. A municipality or group of municipalities may,  
12 through their duly authorized governing body or bodies, request  
13 consideration as a potentially suitable site under this section.  
14 Such offering municipality or group of municipalities shall be  
15 included in the screening study to be conducted by the operator-  
16 licensee designate, the screening report required by subsection  
17 (b) and the other applicable provisions of this section.

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19 Section 2. This act shall take effect in 60 days.