
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 398 Session of
2015

INTRODUCED BY KILLION, JAMES, GALLOWAY, BAKER, DUNBAR, FABRIZIO
AND MUSTIO, FEBRUARY 9, 2015

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,
FEBRUARY 9, 2015

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 Resources 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 residual
18 waste, further providing for transportation of residual
19 waste; and abrogating a regulation.

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

22 Section 1. Section 303 of the act of July 7, 1980 (P.L.380,
23 No.97), known as the Solid Waste Management Act, is amended by
24 adding subsections to read:

25 Section 303. Transportation of residual waste.

26 * * *

1 (c) The department may not prohibit the vehicular
2 transportation of leachate discharged from a collection and
3 handling system of a landfill to an offsite facility for the
4 treatment of the leachate.

5 (d) Definition.--As used in this section, the term
6 "leachate" means as defined in 25 Pa. Code § 271.1 (relating to
7 definitions).

8 Section 2. The regulations of the Department of
9 Environmental Protection in 25 Pa. Code § 273.273(a), (b)(1),
10 (2) and (3) and (e) (relating to leachate transportation) are
11 abrogated.

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