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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1503 Session of  
2017

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INTRODUCED BY HANNA, FREEMAN, THOMAS, ROZZI, D. COSTA,  
CALTAGIRONE, PASHINSKI, V. BROWN, IRVIN, DAVIS, KINSEY,  
NEILSON, O'BRIEN, ROEBUCK, DeLUCA AND WARREN, JUNE 6, 2017

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REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,  
JUNE 6, 2017

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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  
18 applications and permits, providing for public comment;  
19 providing for prohibitions; and, in enforcement and remedies,  
20 providing for site inspection.

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

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

26 Section 502.1. Public comment.

1 (a) The department shall post for not less than 30 days all  
2 permit applications for the land application of sewage sludge  
3 under this article to the department's publicly accessible  
4 Internet website for public comment. The department shall hold a  
5 public hearing on each permit application that generates public  
6 comment concerning the potential negative impact on water  
7 supplies or public health.

8 (b) Notwithstanding any other provision of law, the  
9 department shall conduct at least one public hearing to receive  
10 information related to applications under subsection (a) that  
11 have been posted for a minimum of 30 days and have generated  
12 negative public comment. Within at least 30 days, the department  
13 must provide in writing to the applicant and those persons who  
14 submitted comments under subsection (d) the reasons for the  
15 approval or denial of the application.

16 (c) At least seven days prior to conducting a public hearing  
17 under subsection (b), the department must publish notice of the  
18 hearing in the affected area.

19 (d) When a public hearing is held, a person may testify  
20 within the time provided or submit written comments, or both.  
21 The department must consider testimony relevant to the  
22 requirements of this act, the environmental protection acts and  
23 25 Pa. Code (relating to environmental protection).

24 (e) For the purposes of this section, the term  
25 "environmental protection acts" shall include the following:

26 (1) The act of June 22, 1937 (P.L.1987, No.394), known  
27 as "The Clean Streams Law."

28 (2) The act of May 31, 1945 (P.L.1198, No.418), known as  
29 the "Surface Mining Conservation and Reclamation Act."

30 (3) The act of January 8, 1960 (1959 P.L.2119, No.787),

1 known as the "Air Pollution Control Act."

2 (4) The act of November 26, 1978 (P.L.1375, No.325),  
3 known as the "Dam Safety and Encroachments Act."

4 (5) The act of December 19, 1984 (P.L.1093, No.219),  
5 known as the "Noncoal Surface Mining Conservation and  
6 Reclamation Act."

7 (6) The act of February 9, 1988 (P.L.31, No.12), known  
8 as the "Low-Level Radioactive Waste Disposal Act."

9 (7) The act of July 13, 1988 (P.L.525, No.93), referred  
10 to as the Infectious and Chemotherapeutic Waste Law.

11 (8) The act of July 28, 1988 (P.L.556, No.101), known as  
12 the "Municipal Waste Planning, Recycling and Waste Reduction  
13 Act."

14 (9) The act of October 18, 1988 (P.L.756, No.108), known  
15 as the "Hazardous Sites Cleanup Act."

16 (10) The act of May 19, 1995 (P.L.4, No.2), known as the  
17 "Land Recycling and Environmental Remediation Standards Act."

18 (11) Other Federal or State statutes relating to  
19 environmental protection or the protection of public health.

20 Section 2. The act is amended by adding an article to read:

21 ARTICLE V-A

22 PROHIBITIONS

23 Section 501-A. Sewage sludge.

24 Notwithstanding any other provision of law, the land  
25 application of sewage sludge in the following manners is  
26 prohibited:

27 (1) In a source water protection area.

28 (2) Within 300 feet of a public drinking water source.

29 Section 3. The act is amended by adding a section to read:

30 Section 603.1. Site inspection.

1       The department shall provide for the inspection of each site  
2 in which sewage sludge has been applied to ensure compliance  
3 with this act and all applicable regulations. Inspection under  
4 this section shall occur at least once every three years.

5       Section 4. All regulations and parts of regulations which  
6 are inconsistent with the addition of section 502.1 and Article  
7 V-A of the act are abrogated.

8       Section 5. This act shall take effect in 60 days.