
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2338 Session of
2022

INTRODUCED BY BONNER, HENNESSEY, JAMES, GUENST, JOZWIAK,
ZIMMERMAN, MOUL AND SCHEMEL, FEBRUARY 11, 2022

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,
FEBRUARY 11, 2022

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 Protection 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 general
18 provisions, providing for areas where landfills are
19 prohibited.

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

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

25 Section 109. Areas where landfills are prohibited.

26 A landfill designed, operated or maintained for the disposal

1 of municipal waste, residual waste or hazardous waste may not be
2 located within three miles of the border of a municipality
3 having a population density of at least 1,000 residents per one
4 square mile. This section shall apply to a landfill seeking a
5 permit from the department to initially open, reopen or expand
6 operations which has not been finally granted by the department
7 and a court having final jurisdiction, as applicable.

8 Section 2. This act shall take effect immediately.