

**IN THE SUPREME COURT OF PENNSYLVANIA
MIDDLE DISTRICT**

SOUTH UNION TOWNSHIP, AS : No. 6 MAP 2004
POLITICAL SUBDIVISIONS; AND :
ROBERT SCHIEFBAUER, THOMAS : Appeal from the Order of the
FRANKHOUSER, ROCK COVILLE, IN : Commonwealth Court entered on 12/24/03
THEIR INDIVIDUAL CAPACITIES AS : at No. 678 MD 2002
TAXPAYERS; TOWNSHIP OF DERRY, :
INTERVENOR; PENNSYLVANIA WASTE :
INDUSTRIES ASSOCIATION, :
INTERVENOR :

v.

COMMONWEALTH OF PENNSYLVANIA, :
DEPARTMENT OF ENVIRONMENTAL :
PROTECTION, AND KATHLEEN A. :
MCGINTY, SECRETARY :

APPEAL OF: TOWNSHIP OF DERRY, :
INTERVENOR :

SOUTH UNION TOWNSHIP, AS : No. 7 MAP 2004
POLITICAL SUBDIVISIONS; AND :
ROBERT SCHIFFBAUER, THOMAS : Appeal from the Order of the
FRANKHOUSER, ROCK COVILLE, IN : Commonwealth Court entered on
THEIR INDIVIDUAL CAPACITIES AS : 12/24/03 at No. 678 MD 2002 which
TAXPAYERS, : sustained the preliminary objections and
: dismissed the amended petition

Appellants

v.

COMMONWEALTH OF PENNSYLVANIA, :
DEPARTMENT OF ENVIRONMENTAL :
PROTECTION, AND KATHLEEN A. :

MCGINTY, SECRETARY, :
 :
 Appellees :
 :
 TOWNSHIP OF DERRY AND :
 PENNSYLVANIA WASTE INDUSTRIES :
 ASSOCIATION, INTERVENORS :

ORDER

PER CURIAM:

Decided: July 22, 2004

AND NOW, this 22nd day of July, 2004, the order of the Commonwealth Court is
AFFIRMED.