
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 220

Session of
1987

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CAWLEY, ITKIN, G. SNYDER, RITTER AND SAURMAN, FEBRUARY 9,
1987

REFERRED TO COMMITTEE ON CONSERVATION, FEBRUARY 9, 1987

AN ACT

1 Providing for the establishment of a hazardous materials
2 collection program; conferring powers and duties on the
3 Department of Environmental Resources; and making an
4 appropriation.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Short title.

8 This act shall be known and may be cited as the Hazardous
9 Materials Collection Act.

10 Section 2. Declaration of policy.

11 The General Assembly hereby determines, declares and finds
12 that, since hazardous materials in the possession of homeowners,
13 farmers, educational institutions, government agencies and small
14 businesses are often disposed of, unknowingly or carelessly, in
15 a manner that can threaten human health and safety or the
16 environment, it is the purpose of this act to:

1 (1) Establish a demonstration program designed to
2 provide a safe, economical disposal method for small
3 quantities of hazardous materials and purge these materials
4 from the municipal waste stream.

5 (2) Educate the public regarding the hazardous nature of
6 many commonly used products and to increase public awareness
7 of the role the consumer plays in the hazardous waste
8 problem.

9 (3) Develop a data base of the types and quantities of
10 small hazardous wastes in need of proper disposal so to
11 better guide collection programs and management in the
12 future.

13 Section 3. Definitions.

14 The following words and phrases when used in this act shall
15 have the meanings given to them in this section unless the
16 context clearly indicates otherwise:

17 "Collection event." An event conducted by the department
18 under section 5.

19 "Department." The Department of Environmental Resources of
20 the Commonwealth and its authorized representatives.

21 "Disposal." The incineration, deposition, injection,
22 dumping, spilling, leaking or placing of solid waste into or on
23 the land or water in a manner that the solid waste or a
24 constituent of the solid waste enters the environment, is
25 emitted into the air or is discharged to the waters of this
26 Commonwealth.

27 "Educational institution." Any institution established and
28 operated for the purpose of providing educational instruction to
29 the public.

30 "Farmer." Any person whose primary source of income is

1 derived from the production and sale of agricultural
2 commodities.

3 "Government agency." Any branch, department, board,
4 authority or commission of the Commonwealth, any political
5 subdivision of this Commonwealth or any similar organization
6 created by or pursuant to a statute which declares in substance
7 that the entity performs or has for its purpose the performance
8 of an essential governmental function.

9 "Hazardous materials." Any material which, because of its
10 quantity, concentration or physical, chemical or infectious
11 characteristics, may:

12 (1) cause or significantly contribute to an increase in
13 mortality or an increase in morbidity in either an individual
14 or the population at large; or

15 (2) pose a substantial present or potential hazard to
16 human health or the environment when improperly treated,
17 stored, transported, disposed of or otherwise managed.

18 "Hazardous waste transporter." Any person licensed by the
19 department to transport hazardous waste within this Commonwealth
20 under the act of July 7, 1980 (P.L.380, No.97), known as the
21 Solid Waste Management Act.

22 "Homeowner." Any individual whose personal domicile is
23 located within this Commonwealth.

24 "Person." Any individual, partnership, corporation,
25 association, institution, cooperative enterprise, municipal
26 authority, government agency or any other legal entity
27 whatsoever which is recognized by law as the subject of rights
28 and duties.

29 "Programs." The hazardous materials collection program.

30 "Small business." Any commercial establishment not regulated

1 under the Resource Conservation and Recovery Act of 1976 (Public
2 Law 94-580, 42 U.S.C. § 6901 et seq.), except that the term may
3 include, at the discretion of the department, any such
4 establishment which satisfies the definition of a "small
5 quantity generator" pursuant to that act.

6 Section 4. Powers and duties of department.

7 The department shall have the power and its duty shall be to:

8 (1) Establish and administer a hazardous materials
9 collection program which provides homeowners, farmers,
10 educational institutions, government agencies and small
11 businesses with a mechanism for the proper disposal of small
12 quantities of hazardous materials and which provides an
13 educational process to raise public awareness on the need for
14 proper disposal.

15 (2) Perform any and all activities necessary to
16 effectuate implementation of this act, including, but not
17 limited to, contracting, promotion and conduction of
18 collection events under section 5.

19 Section 5. Hazardous materials collection events.

20 (a) Contracts for events.--To the extent funds are
21 appropriated for such purpose, the department shall contract
22 with one or more hazardous waste transporters to conduct a
23 minimum of one collection event annually in any portion of each
24 of the following six regions of this Commonwealth for the
25 purpose of providing a mechanism for the proper disposal of
26 small quantities of hazardous materials:

27 (1) Region I, to include the counties of Berks, Bucks,
28 Chester, Delaware, Lehigh, Montgomery, Northampton and
29 Philadelphia.

30 (2) Region II, to include the counties of Carbon,

1 Lackawanna, Luzerne, Monroe, Pike, Schuylkill, Susquehanna,
2 Wayne and Wyoming.

3 (3) Region III, to include the counties of Adams,
4 Bedford, Blair, Cumberland, Dauphin, Franklin, Fulton,
5 Huntingdon, Juniata, Lancaster, Lebanon, Mifflin, Perry and
6 York.

7 (4) Region IV, to include the counties of Bradford,
8 Cameron, Clearfield, Centre, Clinton, Columbia, Lycoming,
9 Montour, Northumberland, Potter, Snyder, Sullivan, Tioga and
10 Union.

11 (5) Region V, to include the counties of Allegheny,
12 Armstrong, Beaver, Cambria, Fayette, Greene, Indiana,
13 Somerset, Washington and Westmoreland.

14 (6) Region VI, to include the counties of Butler,
15 Clarion, Crawford, Elk, Erie, Forest, Jefferson, Lawrence,
16 McKean, Mercer, Venango and Warren.

17 (b) Types and amounts of waste.--The department shall
18 establish the types and maximum amounts of hazardous materials
19 to be accepted from any person during a collection event which
20 shall be accepted by the contracted transporter at no charge to
21 participants to the extent funds are made available. The
22 contracted transporter may, at its option, accept such types or
23 amounts of materials or wastes which exceed these levels for a
24 fee, subject to the approval of the department. All materials or
25 wastes accepted by a contracted transporter shall be disposed of
26 in a manner consistent with the act of July 7, 1980 (P.L.380,
27 No.97), known as the Solid Waste Management Act.

28 (c) Promotional activities.--In order to raise public
29 awareness on this issue, provide an education process, and
30 enhance participation at such collection events, the department

1 shall be authorized to use up to 5% of the funds appropriated
2 for the program in any one year for public education and
3 collection event promotion. The department shall also be
4 authorized to use up to 5% of the appropriated funds for its
5 administrative costs in implementing the program.

6 Section 6. Reports to General Assembly.

7 Within two months following the end of any fiscal year in
8 which the General Assembly has appropriated funds for the
9 hazardous materials collection program, the department shall
10 prepare and submit to the House Conservation Committee and
11 Senate Environmental Resources and Energy Committee a report
12 summarizing its activities under the program, including an
13 identification of the date and place of each collection event,
14 the cost of each event, the level of participation, the types
15 and amounts of materials or wastes collected, an analysis of the
16 benefits accrued and recommendations regarding the funding of
17 future events under this program.

18 Section 7. Appropriation.

19 The sum of \$500,000, or as much thereof as may be necessary,
20 is hereby appropriated to the Department of Environmental
21 Resources for the fiscal year July 1, 1987, to June 30, 1988, to
22 carry out the provisions of this act.

23 Section 8. Effective date.

24 This act shall take effect in 60 days.