

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1183 Session of
1997

INTRODUCED BY HERMAN, GRUPPO, SAYLOR, ARGALL, WAUGH, JAROLIN,
GIGLIOTTI, BENNINGHOFF, BATTISTO, TRELLO, McNAUGHTON, RAMOS,
MELIO, MCGILL, HESS, HANNA, STEELMAN, BOSCOLA, SERAFINI,
SCHRODER, BAKER, M. N. WRIGHT, RUBLEY, COWELL, TIGUE,
FAIRCHILD, PETRARCA, STABACK, B. SMITH, GEIST, SURRA, BARD,
D. W. SNYDER, CLARK, HENNESSEY, HERSHEY, YOUNGBLOOD,
E. Z. TAYLOR, OLASZ, PISTELLA, ROSS AND CORPORA,
APRIL 29, 1997

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,
APRIL 29, 1997

AN ACT

1 Amending the act of July 28, 1988 (P.L.556, No.101), entitled
2 "An act providing for planning for the processing and
3 disposal of municipal waste; requiring counties to submit
4 plans for municipal waste management systems within their
5 boundaries; authorizing grants to counties and municipalities
6 for planning, resource recovery and recycling; imposing and
7 collecting fees; establishing certain rights for host
8 municipalities; requiring municipalities to implement
9 recycling programs; requiring Commonwealth agencies to
10 procure recycled materials; imposing duties; granting powers
11 to counties and municipalities; authorizing the Environmental
12 Quality Board to adopt regulations; authorizing the
13 Department of Environmental Resources to implement this act;
14 providing remedies; prescribing penalties; establishing a
15 fund; and making repeals," making a repeal.

16 The General Assembly of the Commonwealth of Pennsylvania
17 hereby enacts as follows:

18 Section 1. Section 701 of the act of July 28, 1988 (P.L.556,
19 No.101), known as the Municipal Waste Planning, Recycling and
20 Waste Reduction Act, is amended to read:

21 Section 701. Recycling fee for municipal waste landfills and

1 resource recovery facilities.

2 (a) Imposition.--There is imposed a recycling fee of \$2 per
3 ton for all solid waste processed at resource recovery
4 facilities and for all solid waste except process residue and
5 nonprocessable waste from a resource recovery facility that is
6 disposed of at municipal waste landfills. Such fee shall be paid
7 by the operator of each municipal waste landfill and resource
8 recovery facility.

9 (b) Alternative calculation.--The fee for operators of
10 municipal waste landfills and resource recovery facilities that
11 do not weigh solid waste when it is received shall be calculated
12 as if three cubic yards were equal to one ton of solid waste.

13 (c) Waste weight requirement.--On and after April 9, 1990,
14 each operator of a municipal waste landfill and resource
15 recovery facility that has received 30,000 or more cubic yards
16 of solid waste in the previous calendar year shall weigh all
17 solid waste when it is received. The scale used to weigh solid
18 waste shall conform to the requirements of the act of December
19 1, 1965 (P.L.988, No.368), known as the Weights and Measures Act
20 of 1965, and the regulations promulgated pursuant thereto. The
21 operator of the scale shall be a licensed public weighmaster
22 under the act of April 28, 1961 (P.L.135, No.64), known as the
23 Public Weighmaster's Act, and the regulations promulgated
24 pursuant thereto.

25 [(d) Sunset for fee.--No fee shall be imposed under this
26 section on and after the first day of the 11th year following
27 the effective date of this act.]

28 Section 2. This act shall take effect in 60 days.