

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1737 Session of
2015

INTRODUCED BY MAHER, COHEN, CORBIN, D. COSTA, COX, DEAN,
DIAMOND, GILLESPIE, GREINER, GROVE, HARHAI, JAMES, KILLION,
LONGIETTI, MAJOR, MILLARD, MILNE, MURT, O'BRIEN, READSHAW,
ROZZI, SAYLOR, SCHLOSSBERG, THOMAS, PHILLIPS-HILL, KORTZ,
MICCARELLI AND DAVIS, DECEMBER 3, 2015

SENATOR YAW, ENVIRONMENTAL RESOURCES AND ENERGY, IN SENATE,
REPORTED AS AMENDED, OCTOBER 17, 2016

AN ACT

1 Amending the act of December 19, 1996 (P.L.1478, No.190),
2 entitled "An act relating to the recycling and reuse of waste
3 tires; providing for the proper disposal of waste tires and
4 the cleanup of stockpiled tires; authorizing investment tax
5 credits for utilizing waste tires; providing remediation
6 grants for the cleanup of tire piles and for pollution
7 prevention programs for small business and households;
8 establishing the Small Business and Household Pollution
9 Prevention Program and management standards for small
10 business hazardous waste; providing for a household hazardous
11 waste program and for grant programs; making appropriations;
12 and making repeals," further providing for household
13 hazardous waste collection program.

14 The General Assembly of the Commonwealth of Pennsylvania
15 hereby enacts as follows:

16 Section 1. Section 206 of the act of December 19, 1996
17 (P.L.1478, No.190), entitled, "An act relating to the recycling
18 and reuse of waste tires; providing for the proper disposal of
19 waste tires and the cleanup of stockpiled tires; authorizing
20 investment tax credits for utilizing waste tires; providing
21 remediation grants for the cleanup of tire piles and for

1 pollution prevention programs for small business and households;
2 establishing the Small Business and Household Pollution
3 Prevention Program and management standards for small business
4 hazardous waste; providing for a household hazardous waste
5 program and for grant programs; making appropriations; and
6 making repeals," is amended by adding a subsection to read:
7 Section 206. Household hazardous waste collection program.

8 * * *

9 (c) Household prescription drug and pharmaceutical waste.--

10 (1) Programs and events conducted by the following
11 facilities or entities are exempt from registering with the
12 department prior to commencing operations as required under
13 section 205(a):

14 (i) Federal, State or local law enforcement.

15 (ii) Hospitals, assisted living facilities, home
16 health care agencies, long-term care nursing facilities,
17 hospice, domiciliary care homes and other similar health
18 care facilities as defined in section 802.1 of the act of
19 July 19, 1979 (P.L.130, No.48), known as the Health Care
20 Facilities Act.

21 (iii) Pharmacies licensed by the Commonwealth.

22 (iv) Resource recovery facilities as defined in
23 section 103 of the act of July 28, 1988 (P.L.556,
24 No.101), known as the Municipal Waste Planning, Recycling
25 and Waste Reduction Act, that collect expired or unwanted
26 prescription drugs or over-the-counter pharmaceutical
27 products.

28 (v) Facilities or entities similar to those listed
29 in subparagraph (i), (ii), (iii) or (iv) that the
30 department, at its sole discretion, excludes.

1 (2) The exclusion in 40 CFR 261.4(b)(1) (relating to
2 exclusions) shall apply to unused, expired or unwanted
3 prescription drugs and over-the-counter pharmaceutical
4 products generated by households if the wastes are collected
5 as part of a registered collection event OR A PROGRAM OR <--
6 EVENT LISTED IN PARAGRAPH (1), separately managed and
7 destroyed in a manner that renders the drugs and
8 pharmaceutical products nonretrievable through ~~resource~~ <--
9 ~~recovery facilities~~ INCINERATION. <--

10 (3) Expired or unwanted prescription drugs and over-the-
11 counter pharmaceutical products generated by households and
12 collected as part of a registered collection event OR A <--
13 PROGRAM OR EVENT LISTED IN PARAGRAPH (1) may be destroyed
14 through industrial furnaces, resource recovery facilities or
15 any other facility that renders the drugs and pharmaceutical
16 products nonretrievable to prevent diversion of the wastes
17 for illicit purpose and protect this Commonwealth's waters,
18 public health and safety.

19 (4) INDUSTRIAL FURNACES, RESOURCE RECOVERY FACILITIES <--
20 AND OTHER FACILITIES THAT RENDER THE EXPIRED OR UNWANTED
21 PRESCRIPTION DRUGS AND OVER-THE-COUNTER PHARMACEUTICAL
22 PRODUCTS NONRETRIEVABLE MUST BE COMPLIANT WITH THE CLEAN AIR
23 ACT (69 STAT. 1, 42 U.S.C. § 7401 ET SEQ.) AND THE ACT OF
24 JANUARY 8, 1960 (1959 P.L.2119, NO.787), KNOWN AS THE AIR
25 POLLUTION CONTROL ACT.

26 (5) OTHER THAN RESOURCE RECOVERY FACILITIES, FACILITIES
27 OPERATING UNDER THE SPECIFIC PROVISIONS OF THIS SECTION ARE
28 NOT REQUIRED TO OBTAIN A PERMIT UNDER THE ACT OF JULY 7, 1980
29 (P.L.380, NO.97), KNOWN AS THE SOLID WASTE MANAGEMENT ACT.

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