

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1382 Session of  
2002

INTRODUCED BY EARLL, MUSTO, LEMMOND, THOMPSON, RHOADES,  
D. WHITE, KUKOVICH, SCHWARTZ, O'PAKE, ORIE, WOZNIAK AND  
BOSCOLA, APRIL 11, 2002

REFERRED TO ENVIRONMENTAL RESOURCES AND ENERGY, APRIL 11, 2002

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," further providing for the  
16 recycling fee and the recycling fund.

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

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

22 Section 701. Recycling fee for municipal waste landfills and  
23 resource recovery facilities.

24 (a) Imposition.--There is imposed a recycling fee of [\$2] \$4

1 per ton for all solid waste processed at resource recovery  
2 facilities and for all solid waste except process residue and  
3 nonprocessable waste from a resource recovery facility that is  
4 disposed of at municipal waste landfills. Such fee shall be paid  
5 by the operator of each municipal waste landfill and resource  
6 recovery facility.

7 \* \* \*

8 (d) Sunset for fee.--No fee shall be imposed under this  
9 section on and after [the first day of the 11th year following  
10 the effective date of this act.] January 1, 2009.

11 Section 2. Section 706(a) of the act is amended and the  
12 section is amended by adding a subsection to read:

13 Section 706. Recycling Fund.

14 (a) Establishment.--All fees received by the department  
15 pursuant to section 701, except as provided in subsection (g),  
16 shall be paid into the State Treasury into a special fund to be  
17 known as the Recycling Fund, which is hereby established.

18 \* \* \*

19 (g) Environmental Stewardship Fund.--Two dollars of each  
20 recycling fee imposed under section 701 shall be deposited in  
21 the Environmental Stewardship Fund established in 27 Pa.C.S. Ch.  
22 61 (relating to environmental stewardship and watershed  
23 protection).

24 Section 3. This act shall take effect immediately.