

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," in recycling and waste reduction,
16 further providing for municipal implementation of recycling
17 programs.

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

20 Section 1. Section 1501(a) and (b) of the act of July 28,
21 1988 (P.L.556, No.101), known as the Municipal Waste Planning,
22 Recycling and Waste Reduction Act, are amended and the section
23 is amended by adding a subsection to read:

24 Section 1501. Municipal implementation of recycling programs.

25 (a) Large population.--[Within two years after the effective

1 date of this act, each] Except as provided in subsection (b.2),
2 a municipality other than a county that has a population of
3 10,000 or more people shall establish and implement a source-
4 separation and collection program for recyclable materials in
5 accordance with this section. Population shall be determined by
6 the most recent decennial census by the [Bureau of the Census of
7 the United States Department of Commerce] United States Census
8 Bureau.

9 (b) Small population.--[Within three years after the
10 effective date of this act, each] Except as provided in
11 subsection (b.2), a municipality other than a county that has a
12 population of more than 5,000 people but less than 10,000
13 people[, and which] and that has a population density of more
14 than 300 people per square mile[,] shall establish and implement
15 a source-separation and collection program for recyclable
16 materials in accordance with this section. Population shall be
17 determined based on the most recent decennial census by the
18 [Bureau of the Census of the United States Department of
19 Commerce] United States Census Bureau.

20 * * *

21 (b.2) Leaf waste.--A municipality other than a county that
22 has a population of more than 5,000 people and that has a
23 population density of 500 or fewer people per square mile shall
24 be exempt from establishing a leaf waste collection program
25 provided that the municipality has enacted an ordinance
26 prohibiting the burning of leaf waste. If a municipality has not
27 enacted an ordinance prohibiting the burning of leaf waste, the
28 municipality shall be subject to the requirements of:

29 (1) subsection (a) if the municipality has a population
30 of 10,000 or more people; or

1 (2) subsection (b) if the municipality has a population
2 of more than 5,000 people but less than 10,000 people and has
3 a population density of more than 300 people per square mile.

4 * * *

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