

**WASTE TIRE RECYCLING ACT/SMALL BUSINESS AND HOUSEHOLD POLLUTION
PREVENTION PROGRAM ACT - HOUSEHOLD HAZARDOUS WASTE COLLECTION
PROGRAM**

Act of Nov. 2, 2016, P.L. 978, No. 123

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HB 1737

AN ACT

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

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

Section 1. Section 206 of the act of December 19, 1996
(P.L.1478, No.190), entitled, "An act relating to the recycling
and reuse of waste tires; providing for the proper disposal of
waste tires and the cleanup of stockpiled tires; authorizing
investment tax credits for utilizing waste tires; providing
remediation grants for the cleanup of tire piles and for
pollution prevention programs for small business and households;
establishing the Small Business and Household Pollution
Prevention Program and management standards for small business
hazardous waste; providing for a household hazardous waste
program and for grant programs; making appropriations; and
making repeals," is amended by adding a subsection to read:
Section 206. Household hazardous waste collection program.

* * *

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

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

(i) Federal, State or local law enforcement.

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

(iii) Pharmacies licensed by the Commonwealth.

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

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

(2) The exclusion in 40 CFR 261.4(b)(1) (relating to exclusions) shall apply to unused, expired or unwanted prescription drugs and over-the-counter pharmaceutical products generated by households if the wastes are collected as part of a registered collection event or a program or event listed in paragraph (1), separately managed and destroyed in a manner that renders the drugs and pharmaceutical products nonretrievable through incineration.

(3) Expired or unwanted prescription drugs and over-the-counter pharmaceutical products generated by households and collected as part of a registered collection event or a program or event listed in paragraph (1) may be destroyed through industrial furnaces, resource recovery facilities or any other facility that renders the drugs and pharmaceutical products nonretrievable to prevent diversion of the wastes for illicit purpose and protect this Commonwealth's water, public health and safety.

(4) Industrial furnaces, resource recovery facilities and other facilities that render the expired or unwanted prescription drugs and over-the-counter pharmaceutical products nonretrievable must be compliant with the Clean Air Act (69 Stat. 1, 42 U.S.C. § 7401 et seq.) and the act of January 8, 1960 (1959 P.L.2119, No.787), known as the Air Pollution Control Act.

(5) Other than resource recovery facilities, facilities operating under the specific provisions of this section are not required to obtain a permit under the act of July 7, 1980 (P.L.380, No.97), known as the Solid Waste Management Act.

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

APPROVED--The 2nd day of November, A.D. 2016.

TOM WOLF