

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1437 Session of
1997

INTRODUCED BY GEORGE, VEON, COY, EVANS, DeWEESE, McCALL,
CAPPABIANCA, BATTISTO, PESCI, SHANER, BELARDI, SURRA, VITALI,
FAIRCHILD, WOJNAROSKI, VAN HORNE, GORDNER, TIGUE, BELFANTI,
STABACK, COLAIZZO, YOUNGBLOOD, PETRARCA, READSHAW, STEIL,
LEVDANSKY, WALKO, DeLUCA, RUBLEY, STEELMAN, JOSEPHS, TRELLO,
PISTELLA, LAUGHLIN, TANGRETTI AND ROONEY, MAY 1, 1997

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,
MAY 1, 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," further defining "department"; and
16 further providing for recycling fees.

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

19 Section 1. The definition of "department" in section 103 of
20 the act of July 28, 1988 (P.L.556, No.101), known as the
21 Municipal Waste Planning, Recycling and Waste Reduction Act, is
22 amended to read:

1 Section 103. Definitions.

2 The following words and phrases when used in this act shall
3 have the meanings given to them in this section unless the
4 context clearly indicates otherwise:

5 * * *

6 "Department." The Department of Environmental [Resources]
7 Protection of the Commonwealth and its authorized
8 representatives.

9 * * *

10 Section 2. Section 701 of the act is amended to read:

11 Section 701. Recycling fee for municipal waste landfills and
12 resource recovery facilities.

13 (a) Imposition.--There is imposed a recycling fee of [\$2] \$3
14 per ton for all solid waste processed at resource recovery
15 facilities and for all solid waste except process residue and
16 nonprocessable waste from a resource recovery facility that is
17 disposed of at municipal waste landfills. Such fee shall be paid
18 by the operator of each municipal waste landfill and resource
19 recovery facility.

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

24 (c) Waste weight requirement.--On and after April 9, 1990,
25 each operator of a municipal waste landfill and resource
26 recovery facility that has received 30,000 or more cubic yards
27 of solid waste in the previous calendar year shall weigh all
28 solid waste when it is received. The scale used to weigh solid
29 waste shall conform to the requirements of the act of December
30 1, 1965 (P.L.988, No.368), known as the Weights and Measures Act

1 of 1965, and the regulations promulgated pursuant thereto. The
2 operator of the scale shall be a licensed public weighmaster
3 under the act of April 28, 1961 (P.L.135, No.64), known as the
4 Public Weighmaster's Act, and the regulations promulgated
5 pursuant thereto.

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

9 Section 3. This act shall take effect in 60 days.