

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1379 Session of 2010

INTRODUCED BY MUSTO, M. WHITE, SCARNATI, FONTANA, O'PAKE, RAFFERTY, STOUT, TARTAGLIONE, FERLO, COSTA, ARGALL, FARNESE, WASHINGTON, STACK, BOSCOLA, BAKER, YAW, D. WHITE, VOGEL AND MELLOW, MAY 26, 2010

REFERRED TO ENVIRONMENTAL RESOURCES AND ENERGY, MAY 26, 2010

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 recycling at educational institutions.

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

19 Section 1. Section 1509 of the act of July 28, 1988
 20 (P.L.556, No.101), known as the Municipal Waste Planning,
 21 Recycling and Waste Reduction Act, is amended to read:

22 Section 1509. Recycling at educational institutions.

23 (a) General rule.--The department, in consultation with the
 24 Department of Education, shall develop guidelines for source

1 separation and collection of recyclable materials and for waste
2 reduction in primary and secondary schools, colleges and
3 universities, whether the schools, colleges and universities are
4 public or nonpublic. At a minimum, the guidelines shall address
5 materials generated in administrative offices, classrooms,
6 dormitories and cafeterias. The Department of Education shall
7 distribute these guidelines and encourage their implementation.
8 The guidelines shall be developed and distributed within two
9 years of the effective date of this act, except that the
10 guidelines are not required to be distributed to educational
11 institutions that are Commonwealth agencies implementing
12 recycling programs under section 1505.

13 (b) Textbooks and other books.--

14 (1) Public and nonpublic primary and secondary schools
15 and institutions of the State System of Higher Education
16 shall use certified textbook recycling facilities for the
17 collection and recycling of textbooks and other books that
18 are to be discarded.

19 (2) The Department of General Services shall promulgate
20 regulations for implementation of this subsection. The
21 regulations shall require compliance no earlier than the end
22 of the school year which occurs after the effective date of
23 the regulations.

24 (3) The Department of General Services shall certify and
25 may contract with a facility to recycle textbooks and other
26 books for a three-year period. The Department of General
27 Services may suspend the contract if at any point during the
28 period the facility fails to meet the qualifications for
29 certification.

30 (4) In order to be certified by the Department of

1 General Services and prior to entering into a contract with
2 the Department of General Services under this subsection, a
3 textbook recycling facility must satisfy the following
4 conditions:

5 (i) The facility may not dispose of textbooks and
6 other books at landfills or resource recovery facilities.

7 (ii) The facility must monetarily compensate the
8 schools and institutions required to comply with this
9 subsection for the textbooks and other books it accepts
10 for recycling.

11 (iii) The facility must have adequate facilities in
12 this Commonwealth to store and ship the textbooks and
13 other books for recycling.

14 (iv) The facility must employ 50% of its personnel
15 in this Commonwealth.

16 (v) The facility must ensure that all recycled
17 textbooks and other books are used in the development of
18 renewable energy resources or redistributed for
19 educational purposes.

20 (vi) Other provisions determined to be necessary by
21 the Department of General Services.

22 (3) No school or institution subject to the requirements
23 of this subsection shall be deemed to be in noncompliance
24 with the provisions of this subsection or the regulations
25 promulgated under this subsection for textbooks or other
26 books that the school or institution:

27 (i) offers for recycling to one or more certified
28 textbook recycling facilities that will not agree to
29 purchase the textbooks or other books; or

30 (ii) provides to other schools or institutions or

1 charitable organizations for educational purposes.

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