

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,
MELLOW AND BROWNE, MAY 26, 2010

SENATOR CORMAN, APPROPRIATIONS, RE-REPORTED AS AMENDED,
SEPTEMBER 29, 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

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

14 (b) Textbooks and other books.--

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

20 (2) The Department of General Services shall promulgate
21 regulations for ~~implementation of~~ THE CERTIFICATION OF ←
22 TEXTBOOK RECYCLING FACILITIES UNDER this subsection. The
23 regulations shall require compliance no earlier than the end
24 of the school year which occurs after the effective date of
25 the regulations.

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

1 the qualifications for certification.

2 (4) In order to be certified by the Department of
3 General Services and prior to entering into a contract with
4 the Department of General Services under this subsection, a
5 textbook recycling facility must satisfy the following
6 conditions:

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

9 (ii) The facility must monetarily compensate the
10 schools and institutions required to comply with this
11 subsection for the textbooks and other books it accepts
12 for recycling AND FOR ANY COSTS THAT THE SCHOOLS OR ←
13 INSTITUTIONS INCUR TO TRANSPORT, STORE OR SHIP THE
14 TEXTBOOKS AND OTHER BOOKS TO BE RECYCLED.

15 (iii) The facility must have adequate facilities in
16 this Commonwealth to store and ship the textbooks and
17 other books for recycling.

18 (iv) The facility must employ not less than 50% of
19 its personnel in this Commonwealth AND MAY APPLY TO THE ←
20 DEPARTMENT OF GENERAL SERVICES FOR A WAIVER OF THIS
21 REQUIREMENT.

22 (v) The facility must ensure that all discarded
23 textbooks and other books are used in the development of
24 renewable energy resources or redistributed for
25 educational purposes.

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

28 (5) A school or institution subject to the requirements
29 of this subsection shall be deemed to be in compliance with
30 the provisions of this subsection or the regulations

1 promulgated under this subsection for textbooks and other
2 books if the school or institution:

3 (i) offers the textbooks and other books for
4 recycling to one or more certified textbook recycling
5 facilities and each facility that received the offer
6 cannot comply with paragraph (4) (ii); or

7 (ii) provides the textbooks and other books to other
8 schools or institutions or charitable organizations for
9 educational purposes.

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