

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 624 Session of 2011

INTRODUCED BY YUDICHAK, M. WHITE, SCARNATI, COSTA, ARGALL,
 RAFFERTY, FONTANA, D. WHITE, BAKER, VOGEL, TARTAGLIONE, YAW,
 BREWSTER, STACK, BOSCOLA, BROWNE AND ERICKSON,
 FEBRUARY 23, 2011

REFERRED TO ENVIRONMENTAL RESOURCES AND ENERGY, FEBRUARY 23,
 2011

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 the certification of textbook recycling
22 facilities under this subsection. The regulations shall
23 require compliance no earlier than the end of the school year
24 which occurs after the effective date of the regulations.

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

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

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

8 (ii) The facility must monetarily compensate the
9 schools and institutions required to comply with this
10 subsection for the textbooks and other books it accepts
11 for recycling and for any costs that the schools or
12 institutions incur to transport, store or ship the
13 textbooks and other books to be recycled.

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

17 (iv) The facility must employ not less than 50% of
18 its personnel in this Commonwealth and may apply to the
19 Department of General Services for a waiver of this
20 requirement.

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

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

27 (5) A school or institution subject to the requirements
28 of this subsection shall be deemed to be in compliance with
29 the provisions of this subsection or the regulations
30 promulgated under this subsection for textbooks and other

1 books if the school or institution:

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

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

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