

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1377 Session of 2015

INTRODUCED BY VOGEL, RESCENTHALER, SCARNATI, BARTOLOTTA,  
HUTCHINSON, VULAKOVICH, MENSCH AND WHITE, OCTOBER 12, 2016

REFERRED TO ENVIRONMENTAL RESOURCES AND ENERGY, OCTOBER 12, 2016

AN ACT

1 Amending the act of July 7, 1980 (P.L.380, No.97), entitled "An  
2 act providing for the planning and regulation of solid waste  
3 storage, collection, transportation, processing, treatment,  
4 and disposal; requiring municipalities to submit plans for  
5 municipal waste management systems in their jurisdictions;  
6 authorizing grants to municipalities; providing regulation of  
7 the management of municipal, residual and hazardous waste;  
8 requiring permits for operating hazardous waste and solid  
9 waste storage, processing, treatment, and disposal  
10 facilities; and licenses for transportation of hazardous  
11 waste; imposing duties on persons and municipalities;  
12 granting powers to municipalities; authorizing the  
13 Environmental Quality Board and the Department of  
14 Environmental Resources to adopt rules, regulations,  
15 standards and procedures; granting powers to and imposing  
16 duties upon county health departments; providing remedies;  
17 prescribing penalties; and establishing a fund," in general  
18 provisions, further providing for definitions.

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

21 Section 1. The definitions of "processing" and "residual  
22 waste" in section 103 of the act of July 7, 1980 (P.L.380,  
23 No.97), known as the Solid Waste Management Act, amended July  
24 11, 1990 (P.L.450, No.109), are amended to read:

25 Section 103. Definitions.

26 The following words and phrases when used in this act shall

1 have, unless the context clearly indicates otherwise, the  
2 meanings given to them in this section:

3 \* \* \*

4 "Processing."

5 (1) The term includes any of the following:

6 (i) Any method or technology used for the purpose of  
7 reducing the volume or bulk of municipal or residual  
8 waste or any method or technology used to convert part or  
9 all of such waste materials for off-site reuse.

10 (ii) Transfer facilities, composting facilities, and  
11 resource recovery facilities.

12 (2) The term does not include [a] any of the following:

13 (i) A collection or processing center that is only  
14 for source-separated recyclable materials, including  
15 clear glass, colored glass, aluminum, steel and  
16 bimetallic cans, high-grade office paper, newsprint,  
17 corrugated paper and plastics.

18 (ii) Sizing, shaping or sorting of discarded  
19 material.

20 "Residual waste."

21 (1) The term includes any of the following:

22 (i) Any garbage, refuse, other discarded material or  
23 other waste including solid, liquid, semisolid, or  
24 contained gaseous materials resulting from industrial,  
25 mining and agricultural operations [and any].

26 (ii) Any sludge from an industrial, mining or  
27 agricultural water supply treatment facility, waste water  
28 treatment facility or air pollution control facility,  
29 provided that it is not hazardous.

30 (2) The term ["residual waste" shall] does not include

1 [coal]:

2 (i) Coal refuse as defined in the "Coal Refuse  
3 Disposal Control Act." ["Residual waste" shall not  
4 include treatment]

5 (ii) Treatment sludges from coal mine drainage  
6 treatment plants, disposal of which is being carried on  
7 pursuant to and in compliance with a valid permit issued  
8 pursuant to "The Clean Streams Law."

9 (iii) Iron and steel slag if:

10 (A) used onsite as a waste processing liming  
11 agent in acid neutralization or onsite in place of  
12 aggregate or sold and distributed in the stream of  
13 commerce for consumption, use or further processing  
14 into another desired commodity; and

15 (B) managed as an item of commercial value in  
16 accordance with industry practices to ensure  
17 commercial value.

18 \* \* \*

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