

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2023 Session of
2019

INTRODUCED BY OTTEN, ZABEL, MURT, BRIGGS, ULLMAN, DONATUCCI,
VITALI, SCHLOSSBERG, INNAMORATO, SHUSTERMAN, DALEY, HILL-
EVANS, BULLOCK, FRANKEL, COMMITTA, McCARTER, KENYATTA,
McCLINTON, WILLIAMS, ISAACSON, STURLA, ROZZI, FIEDLER,
HOHENSTEIN, SANCHEZ, MADDEN, T. DAVIS, SOLOMON AND KRUEGER,
NOVEMBER 14, 2019

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,
NOVEMBER 14, 2019

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 providing for source-separated organics.

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

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

22 Section 1511.1. Source-separated organics.

1 (a) Facilities and transporters.--Beginning July 1, 2024, a
2 a person who collects or transports solid waste or a recycling
3 facility authorized under the laws of this Commonwealth shall
4 collect source-separated organics separate from other solid
5 waste and deliver source-separated organics to a location that
6 manages source-separated organics in a manner consistent with
7 the priority uses specified under subsection (b).

8 (b) Management.--It is the policy of this Commonwealth that
9 source-separated organics collected under this section shall be
10 managed according to the following order of priority uses:

11 (1) Reduction of the amount generated at the source.

12 (2) Diversion for food consumption by humans.

13 (3) Diversion for agricultural use, including
14 consumption by animals.

15 (4) Composting, land application and digestion.

16 (c) Production limitations.--

17 (1) A person who produces more than an amount identified
18 under paragraph (2) in source-separated organics and is
19 located within 50 miles of a compost facility, an anaerobic
20 digester or a resource recovery facility that has available
21 capacity and is willing to accept the source-separated
22 organics shall have the following duties:

23 (i) Separate source-separated organics from other
24 solid waste. A de minimis amount of source-separated
25 organics may be disposed in solid waste if the person has
26 established a program to separate source-separated
27 organics and the program includes a component for the
28 education of program users regarding the need to separate
29 source-separated organics.

30 (ii) Arrange for the transfer of source-separated

1 organics to a location that manages source-separated
2 organics in a manner consistent with the priority uses
3 specified under subsection (b) or manage source-separated
4 organics on site.

5 (2) The following persons shall be subject to the
6 requirements under paragraph (1):

7 (i) Beginning July 1, 2021, a person whose acts or
8 processes produce more than 104 tons per year of source-
9 separated organics.

10 (ii) Beginning July 1, 2022, a person whose acts or
11 processes produce more than 52 tons per year of source-
12 separated organics.

13 (iii) Beginning July 1, 2023, a person whose acts or
14 processes produce more than 26 tons per year of source-
15 separated organics.

16 (iv) Beginning July 1, 2024, and ending June 30,
17 2027, a person whose acts or processes produce more than
18 18 tons per year of source-separated organics.

19 (v) Beginning July 1, 2027, a person who generates
20 any amount of source-separated organics.

21 (d) Disposal requirements.--Beginning July 1, 2027, a person
22 may not knowingly dispose of source-separated organics in solid
23 waste or a municipal waste landfill.

24 (e) Definitions.--As used in this section, the following
25 words and phrases shall have the meanings given to them in this
26 subsection unless the context clearly indicates otherwise:

27 "Source-separated organics." Source-separated recyclable
28 material and uncontaminated material that is derived from
29 processing or discarding food, including food scraps from
30 preconsumer and postconsumer material and nonrecyclable paper

1 and bioplastics. The term does not include meat or meat-related
2 products composted by a person on site or yard waste.

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