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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2368 Session of  
2020

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INTRODUCED BY KAIL, O'NEAL, BERNSTINE, BROOKS, SCHLEGEL CULVER,  
DONATUCCI, DOWLING, DUNBAR, GAYDOS, HEFFLEY, JAMES, MATZIE,  
MIHALEK, MUSTELLO, READSHAW, REESE, RIGBY, ROEBUCK, ROTHMAN,  
SAYLOR, STAATS, STRUZZI AND WHITE, MARCH 23, 2020

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REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,  
MARCH 23, 2020

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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 general provisions, further  
16 providing for definitions.

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

19 Section 1. The definitions of "municipal recycling program"  
20 and "municipal waste" in section 103 of the act of July 28, 1988  
21 (P.L.556, No.101), known as the Municipal Waste Planning,  
22 Recycling and Waste Reduction Act, are amended to read:  
23 Section 103. Definitions.

1 The following words and phrases when used in this act shall  
2 have the meanings given to them in this section unless the  
3 context clearly indicates otherwise:

4 \* \* \*

5 "Municipal recycling program."

6 (1) Any of the following that is operated by or on  
7 behalf of a municipality:

8 (i) A source separation and collection program for  
9 recycling municipal waste or source-separated recyclable  
10 materials[, or a].

11 (ii) A program for the source separation and  
12 collection of post-use polymers or recovered feedstocks.

13 (iii) A program for the source separation and  
14 collection of materials that are demonstrated to replace  
15 fossil fuels as an alternative energy source.

16 (iv) A program for designated drop-off points or  
17 collection centers for recycling municipal waste or  
18 source-separated recyclable materials[, that is operated  
19 by or on behalf of a municipality].

20 (2) The term includes any source separation and  
21 collection program for composting yard waste that is operated  
22 by or on behalf of a municipality. The term shall not include  
23 any program for recycling construction/demolition waste or  
24 sludge from sewage treatment plants or water supply treatment  
25 plants.

26 "Municipal waste." Any garbage, refuse, industrial lunchroom  
27 or office waste and other material, including solid, liquid,  
28 semisolid or contained gaseous material, resulting from  
29 operation of residential, municipal, commercial or institutional  
30 establishments and from community activities and any sludge not

1 meeting the definition of residual or hazardous waste in the  
2 Solid Waste Management Act from a municipal, commercial or  
3 institutional water supply treatment plant, wastewater treatment  
4 plant or air pollution control facility. The term does not  
5 include source-separated recyclable materials or post-use  
6 polymers or recovered feedstocks where the polymers or  
7 feedstocks are converted through technologies such as pyrolysis  
8 or gasification.

9 \* \* \*

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