

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 256 Session of 2019

INTRODUCED BY DINNIMAN, STEFANO, SCHWANK, KEARNEY, HUTCHINSON AND COSTA, FEBRUARY 7, 2019

REFERRED TO ENVIRONMENTAL RESOURCES AND ENERGY, FEBRUARY 7, 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 further providing for Commonwealth recycling and waste
 17 reduction.

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

20 Section 1. Section 1503 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, is amended to read:

23 Section 1503. Commonwealth recycling and waste reduction.

24 (a) Recycling.--[Within two years after the effective date
 25 of this act, each] Each Commonwealth agency, in coordination

1 with the Department of General Services, shall establish and
2 implement a source-separation and collection program for
3 recyclable materials produced as a result of agency operations,
4 including, at a minimum, aluminum, high grade office paper and
5 corrugated paper. The source-separation and collection program
6 shall include, at a minimum, procedures for collecting and
7 storing recyclable materials, bins or containers for storing
8 materials, and contractual or other arrangements with buyers.

9 (b) Waste reduction.--[Within two years after the effective
10 date of this act, each] Each Commonwealth agency, in
11 coordination with the Department of General Services, shall
12 establish and implement a waste reduction program for materials
13 used in the course of agency operations. The program shall be
14 designed and implemented to achieve the maximum feasible
15 reduction of waste generated as a result of agency operations.

16 (c) Use of composted materials.--[All] Subject to the
17 provisions of subsection (d), all Commonwealth agencies
18 responsible for the maintenance of public lands in this
19 Commonwealth shall, to the maximum extent practicable and
20 feasible, give due consideration and preference to the use of
21 compost materials, including mushroom substrate, in all land
22 maintenance activities which are to be paid with public funds.

23 (d) Use of compost and compost products in projects.--

24 (1) Notwithstanding any other provision of law to the
25 contrary, compost and compost products shall be utilized as
26 recycled materials in projects as a best management practice
27 for:

28 (i) Erosion and sediment control.

29 (ii) Postconstruction storm water management.

30 (2) The department shall:

1 (i) On or before June 30, 2019, establish
2 appropriate specifications for the use of compost and
3 compost products as a best management practice in
4 projects for:

5 (A) Erosion and sediment control under 25 Pa.
6 Code Ch. 102 (relating to erosion and sediment
7 control).

8 (B) Postconstruction storm water management
9 under 25 Pa. Code Ch. 102.

10 (ii) In establishing the specification under
11 subparagraph (i):

12 (A) Consult with other appropriate State
13 agencies on the use of and specifications for compost
14 and compost products for projects in other states.

15 (B) Identify compost and compost products to add
16 to any existing specifications, which shall include
17 the following:

18 (I) Compost blankets for soil stabilization
19 mats and other types of compost erosion control
20 blankets.

21 (II) Compost socks for slope interruption,
22 inlet protection and sediment control.

23 (III) Compost in a biofiltration soil mix.

24 (IV) Compost in biofiltration swales.

25 (C) Develop recommendations for maximizing the
26 use of compost as a recycled material in projects,
27 including new specifications that should be developed
28 and any necessary legislative or regulatory changes.

29 (iii) Update the specifications established under
30 this paragraph as necessary.

1 (iv) Post the specifications established under this
2 paragraph on the department's publicly accessible
3 Internet website.

4 (3) By no later than June 30, 2022, the department shall
5 prepare and submit a report to the General Assembly that
6 includes the following:

7 (i) A description of the specifications established
8 for compost and compost products used in projects.

9 (ii) Recommendations to maximize the use of compost
10 and compost products as recycled materials in projects.

11 (iii) A description of the department's conclusions
12 under paragraph (2)(ii).

13 (iv) Any other information that the department deems
14 necessary or relevant.

15 (4) For the purposes of this subsection, the following
16 words and phrases shall have the meanings given to them in
17 this paragraph unless the context clearly indicates
18 otherwise:

19 "Best management practice." A specialized practice designed
20 to control erosion and sediment control and postconstruction
21 storm water runoff.

22 "Compost." Includes spent mushroom substrate.

23 "Compost product." An item that is manufactured from
24 compost, including the following:

25 (1) Compost berms.

26 (2) Compost filter socks.

27 (3) Compost blankets.

28 "Department." The Department of Environmental Protection of
29 the Commonwealth.

30 "Infrastructure construction." The construction or

1 rehabilitation of the following:

2 (1) Drainage systems.

3 (2) Energy facilities that generate and distribute
4 power.

5 (3) Sewer systems, including, but not limited to, the
6 construction or repair of sewage collection lines and sewage
7 treatment facilities.

8 (4) Transportation facilities directly affecting the
9 site of the proposed private investment, including:

10 (i) Roads providing access to the site.

11 (ii) Parking facilities.

12 (iii) Sidewalks.

13 (iv) Bridges.

14 (v) Rails, including, but not limited to, the
15 construction or rehabilitation of rail switches and
16 signals, rail crossings and intermodal facilities.

17 (vi) Ports, including, but not limited to, docking
18 facilities, bulkheads and intermodal facilities, but not
19 warehouses.

20 (vii) Waterways, including, but not limited to,
21 channel realignment, dredging and the construction or
22 rehabilitation of locks.

23 (viii) Airports, including, but not limited to, the
24 construction or rehabilitation of runways, but not
25 airport buildings.

26 (ix) Pipelines and related facilities, including
27 compressor stations and pipeline valve systems, for the
28 transportation of natural gas and its derivatives and any
29 other product transported through pipelines, but not
30 vehicles associated with the operation of the pipelines

1 or related facilities.

2 (x) Facilities for the transmission of information,
3 including, but not limited to, fiber-optic
4 telecommunication lines.

5 (xi) Water supply facilities, including, but not
6 limited to, water lines and water storage, treatment and
7 distribution facilities.

8 (xii) Well pads, wellheads and related facilities
9 for the extraction, production or storage of natural gas
10 and oil.

11 "Project." A project for infrastructure construction in this
12 Commonwealth that utilizes measures for the following:

13 (1) erosion and sediment control; or

14 (2) postconstruction storm water management.

15 "Specification." A standard for compost or compost product
16 used in a project, including application instructions and
17 compost characteristics.

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