

**BYLAWS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
SOLID WASTE ADVISORY COMMITTEE**

ARTICLE I. NAME: The name of this Committee shall be the Department of Environmental Protection's Solid Waste Advisory Committee.

ARTICLE II. AUTHORIZATION: This Committee is authorized and organized pursuant to Section 104, Paragraph 12 of the Pennsylvania Solid Waste Management Act (Act 97 of 1980), as amended.

ARTICLE III. PURPOSE: The role of the Committee is to work closely with the Department to develop programs, policies and regulations to effectively implement solid waste management and recycling programs. The Committee may recommend to the Secretary of the Department that rules, regulations, standards, criteria, and procedures it deems necessary be adopted, amended or repealed and changes be made to statewide solid waste management initiatives.

Members of the Committee shall be designated by the Secretary to also serve as members of the following standing committees:

A. The Recycling Fund Advisory Committee (RFAC), which is authorized by Section 706(e) of the Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101 of 1988), as amended.

B. The Hazardous Waste Facilities Planning (HWFP) Advisory Committee, which is authorized by Section 507(b) of the Solid Waste Management Act.

ARTICLE IV. MEMBERSHIP: The membership of the Solid Waste Advisory Committee shall be established by the Secretary and include individuals with expertise in solid waste management or recycling programs, including the development and implementation of practices and procedures related to these programs in the Commonwealth. In addition, the chairperson of the Citizens Advisory Council or the chairperson's designee shall be a voting member of the Committee.

The Secretary of the Department shall appoint or reappoint members of the Committee at his or her discretion at the end of each even-numbered calendar year.

A. Any Committee member not attending three (3) consecutive meetings without prior approval of the chairperson may be recommended for removal. This recommendation will be made to the Secretary of the Department.

B. Committee members may send an alternate to Committee and Subcommittee meetings for discussion purposes.

ARTICLE V. VOTING: Members shall be entitled to one (1) vote, in person, on all matters that shall come before the Committee.

ARTICLE VI. OFFICERS: The officers of the Committee shall be a chairperson and a vice chairperson.

A. CHAIRPERSON: It shall be the duty of the chairperson to preside at all meetings of the Committee, call special meetings, and perform such other duties that pertain to the office of chairperson.

B. VICE-CHAIRPERSON: It shall be the duty of the vice-chairperson to perform the duties of the chairperson in his or her absence. He/She shall also assist the chairperson in the performance of such duties as may be assigned by the chairperson.

C. TERM OF OFFICE: The term of office shall be two calendar years or until successors are elected.

D. ELECTION OF OFFICERS: The officers of the Committee shall be elected at the first meeting of each odd-numbered calendar year. No less than thirty (30) days prior to the election of officers, a nominating committee shall be appointed by the chairperson. It shall consist of three (3) members of the Committee who shall prepare a list of nominations for Committee offices. The Committee's report shall list one (1) or two (2) nominations for the chairperson, and a vice-chairperson. Each candidate listed must give consent for his/her name to appear on the ballot. The names of these nominees by office shall be distributed to all members of the Committee at least one (1) week prior to the meeting at which the election will be held. Additional nominations may be made from the floor.

ARTICLE VII. ADMINISTRATION: The Department shall designate an employee to perform the necessary administrative duties for the Committee. Administrative duties include: establishing meeting agendas in consultation with the chairperson; providing timely notice of meetings and standing committee and subcommittee meetings to the affected members; recording, transcribing, and maintaining a permanent file of the minutes of the Committee; receipt, preparation, and transmittal of incoming and outgoing correspondence of the Committee and maintenance of a permanent file of such correspondence; performing such duties as may be requested by the Committee.

ARTICLE VIII. STANDING COMMITTEES AND SUBCOMMITTEES:

A. STANDING COMMITTEES:

1. Except for the RFAC and the HWFP Advisory Committee, which are authorized by statute, standing committees may be established by a majority vote

of those members attending a regular or special meeting of the Committee to address ongoing issues relating to the purpose for which the committee is organized.

2. Standing committee membership: Except for the RFAC and HWFP Advisory Committee, the chairperson shall appoint standing committee members. Tenure on a standing committee is not restricted.

3. Each standing committee shall receive a charge by the chairperson at the time of its creation, and each standing committee shall exist until such time as the responsibilities and duties contained in that charge are accomplished.

B. SUBCOMMITTEES:

1. Subcommittees may be created when deemed appropriate for a particular purpose and shall be established by a majority vote of those members attending a regular or special meeting of the Committee.

2. Subcommittee membership: The chairperson shall appoint subcommittee members for a period of time necessary to meet the objective(s) identified in establishing the subcommittee. Ad hoc members may also be added to a subcommittee if specific expertise is needed to address the subject. Ad hoc members shall be appointed by the Secretary of the Department.

C. LISTING OF STANDING COMMITTEES AND SUBCOMMITTEES:

1. A listing of the standing committees and subcommittees and their respective charges shall be maintained by the Department as Appendix A of these bylaws.

2. Additions to and deletions from Appendix A shall not constitute an amendment to these bylaws.

ARTICLE IX. MEETINGS: The Committee will meet at least quarterly each year. Regular meeting dates shall be established on an annual basis. Alternate meeting dates and additional meetings shall be called by the chairperson. A quorum for the purpose of conducting business shall consist of more than half of the current membership. Subcommittee meetings shall be called by subcommittee chairpersons with notification to the full Committee.

ARTICLE X. AMENDMENTS: These bylaws may be amended, repealed, or suspended at any meeting of the Committee by a two-thirds vote of the members of the Committee present at that meeting provided that written notice of such amendment, repeal, or suspension shall have been sent by the Department to each member at least one (1) week prior to said meeting.

ARTICLE XI. TIME LIMITS: Wherever a time limit is specified in these bylaws, it may be waived by unanimous consent by those members in attendance at a regularly scheduled meeting.

ARTICLE XII. COMMITTEE REPRESENTATION: The Committee shall act as a body in all matters, and only the chairperson or his or her designated spokesperson shall communicate with the Secretary or with third parties on behalf of the Committee.

APPENDIX A

STANDING COMMITTEES:

1. The Recycling Fund Advisory Committee

The Recycling Fund Advisory Committee (RFAC) is authorized by Section 706(e) of the Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101 of 1988). RFAC meets annually to review progress in meeting Act 101 goals and to advise the Department on expenditures and administration of the Recycling Fund.

Act 101 requires the composition of the RFAC to include four legislative members and specific representation by counties, other municipalities, municipal authorities, the municipal waste management industry, the municipal waste recycling industry, the municipal waste generating industry and the general public.

2. The Hazardous Waste Facilities Planning Advisory Committee

The Hazardous Waste Facilities Planning (HWFP) Advisory Committee is authorized by Section 507(b) of the Solid Waste Management Act (Act 97 of 1980). The HWFP Advisory Committee may recommend to the Department the adoption of rules and regulations, standards, criteria and procedures as it deems necessary and advisable for the preparation, development, adoption and implementation of the Pennsylvania HWFP.

At least eight (8) members of the Solid Waste Advisory Committee are designated by the Secretary of the Department. Section 507(b) of Act 97 requires representation in substantially equivalent proportions of the following four groups: private citizens, representatives of public interest groups, public officials, and citizens or representatives of organizations with substantial economic interest in the plan. Membership also specifically includes, but is not be limited to, a representative of a waste treatment operator, a waste generator, local governments, environmentalists, and an academic scientist.

The composition of the HWFP Advisory Committee also satisfies the Federal requirements specified in 40 CFR 25.7 for Resource Conservation and Recovery Act initiatives.

SUBCOMMITTEES:

1. Commodity Disposal Ban Subcommittee

The Commodity Disposal Ban Subcommittee was formed in April 2008 to focus on a major goal of the municipal and residual waste regulatory revision effort, which is to divert valuable resources from the waste stream for re-use and recycling by streamlining requirements and adding commodity disposal bans.

The subcommittee was charged with developing a process by which to determine whether specific commodities should be banned, and recommending regulatory language, in an effort to increase recycling and reduce materials being disposed.

2. Residual Waste Subcommittee

The Residual Waste Subcommittee was convened in May 2004 to re-examine the residual waste management program. The Subcommittee focused primarily on the definition of waste and related terms, the beneficial use and general permit program, and reporting and recordkeeping. The efforts culminated in *The Waste Redux Project Report*, which was issued on May 31, 2005.

Many of the report's recommendations were able to be implemented without regulatory changes, while others have been incorporated into the municipal and residual waste regulatory initiative that began in May 2006.