

SUMMARY OF STAKEHOLDER PRIORITIES FOR CHANGES TO ACT 101, THE MUNICIPAL WASTE PLANNING, RECYCLING AND WASTE REDUCTION ACT

Chapter	Section(s)	New/Amend/Delete	Description	Summary of Change	Stakeholder Priority? ¹			Justification
					DEP	Local Govt.	Industry	
3	301(3)	Amend	Powers and duties of Department	Clarify what specific technical assistance must be provided by DEP.	X	X	X	Promote and provide consistent education about and implementation of Commonwealth recycling programs.
3	301(14)(i)	Amend	Powers and duties of Department; public education	Expand upon/create specific recycling public education requirements that DEP must meet.	X	X	X	Public education contributes greatly to ensuring proper recycling practices, thereby improving the quality of materials provided for recycling.
3	303	Amend	Powers and duties of counties	Allow/authorize counties to impose fees directly on their residents to support recycling programs.			X	Current allocation of certain grant monies from the Recycling Fund doesn't encourage/support development and maintenance of modern recycling programs.
3	304	Amend	Powers and duties of municipalities other than counties	Allow/authorize municipalities to impose fees directly on their residents to support recycling programs.			X	Current allocation of certain grant monies from the Recycling Fund doesn't encourage/support development and maintenance of modern recycling programs.
9	903	Amend	Duties of County Recycling Coordinators	Clarify/expand duties that Coordinators must perform to qualify for a Section 903 reimbursement grant.	X	X	X	Improves the accountability of Coordinators by updating the duties they should be performing that can be reimbursed. Coordinators play a critical role in recycling programs.
9	905(a)	Delete	General limitations; independent performance audit	Remove.	X			Unfunded mandate that was never defined; information this provision intended to provide is obtained during final grant reporting.
11	1110	Delete	Independent evaluation of permit applications	Remove.	X			Very few municipalities request; when a landfill is being permitted, municipalities now know how to manage the permitting process. Small savings in time to maintain application forms and instructions that are rarely used.
15	1501(a)	Amend	Municipal implementation of recycling grants; large population	Any municipality with a population of 5,000 or more people must have curbside collection of recyclables.	X	X		Expands convenient recycling to more areas of the Commonwealth, and more accurately reflects current practices.
15	1501(b)	Amend	Municipal implementation of recycling grants; small population	Any municipality with a population of less than 5,000 people must have a recycling program determined to be feasible by that municipality.	X	X		Expands convenient recycling to more areas of the Commonwealth while retaining flexibility for smaller municipalities with fewer residents and less working capital.
15	1501(c)(1)(i)	Amend	Municipal implementation of recycling grants; contents	Add other/mixed paper to the list of source separated recyclable materials.	X	X		Capture one of the largest recyclable components of the municipal waste stream.

¹ Shading indicates the stakeholder group proposing the change as a priority.

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15	1501(c)(1)(i)	Amend	Municipal implementation of recycling grants; contents	All persons must separate, and municipalities must collect, all listed source separated recyclable materials.	X	X		Increase recycling in the Commonwealth to the maximum extent possible.
15	1501(c)(2)-(3)	Amend	Collection frequency	Maintain current (once per month) for municipalities with population < 5,000; increase to once every 1 or 2 weeks for municipalities with population > 5,000.	X			Expands convenient recycling to all areas of the Commonwealth; reflects current practices.
15	1501(d)	Amend	Public notice	Expand to include additional forms of notification such as email, web page, etc.	X	X	X	Modernize communication to reflect updated technology and practice.
15	1501(h)	Delete	Alternative program	Remove.	X			No municipality has proposed since at least 1998, and DEP has never approved when proposed.
15	1502(b)(1)	Amend	Drop-off centers	Require drop-off centers to manage all listed source separated recyclable materials.	X	X		In keeping with proposed changes to Section 1501(c)
15	1503(a)	Amend	Commonwealth recycling	All Commonwealth agencies must recycle all listed materials.	X			Modernize the requirements for Commonwealth agencies; increase recycling in the Commonwealth to the maximum extent possible.
15	1504	New	Procurement by Commonwealth agencies	All Commonwealth agencies must default to purchasing products with recycled content rather than the cheapest product when such product is available.	X			Modernize the requirements for Commonwealth agencies; show leadership within the recycling market.
15	1509	Amend	Recycling at educational institutions	Include specific provisions to be implemented by the Department of Education to more effectively educate educational institutions on implementing their recycling programs.		X		Improve, modernize, and promote recycling programs at educational institutions.
17	1701(c)	Delete	6-pack ring requirements	Remove.	X			Little-known provision; biodegradability of this material is subjective.
Misc.	TBD	New	Permitting of Material Recovery Facilities (MRFs)	Require MRFs to obtain a permit to operate, including provisions for reporting, requirements for materials to be processed/marketed in a specific amount of time, etc.	X			Give DEP the authority to monitor these operations more closely, and obtain more accurate data about what is being recycled and marketed in the Commonwealth. Currently proposing to authorize under a permit-by-rule (PBR).
Misc.	TBD	New	Disposal Ban	Ban Aluminum and steel/bi-metal cans from being disposed in a landfill or resource recovery facility.	X			Modernize requirements for materials that are easily separated and recycled. These materials do not lose their value and are easily marketed.

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Misc.	TBD	New	Ban open burning of waste	Clarify. Currently there is an interpretation allowing some open burning under air regulations.	X			DEP discourages open burning, but allows municipalities to make those decisions through a model ordinance. With the increase in plastics in the waste stream, open burning is becoming more dangerous. Burning waste is a pervasive environmental problem, especially in rural areas.
Misc.	TBD	New	Periodic review/update of Act 101	Include a provision for periodic review and potential update/amendment of Act 101.	X		X	Establishment of a timeline for periodic review and potential update of the Act allows for more regular evaluation of the effectiveness of the Act.
Misc.	TBD	Amend	Universal access to waste management and recycling	Include provisions to facilitate universal access to waste management and recycling services.	X	X	X	All areas of the Commonwealth should have access to universal, reasonably affordable, convenient waste management and recycling services.
Misc.	TBD	Amend	Public notice	Expand the formats in which public notice can be performed by municipalities and the Department.	X	X	X	Modernize the methods and increase the efficiency of communicating with the public to reflect current technology and practice.

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