Leaf and Yard Waste Management Site Evaluations

City of Scranton
340 N Washington Ave
Scranton, PA 18503
272-228-3179

SCS ENGINEERS

02223021.18 | June 16, 2026

1881 Campus Commons Dr
Reston, VA 20191
703-471-6150

Table of Contents

Exhibits

Figures

Tables

Appendices

1 BACKGROUND

The City of Scranton Department of Public Works provides curbside waste and recycling collection services to about 23,000 households using their own equipment and staff. Recyclable materials are collected via a tri-stream program. Cardboard, mixed paper, and comingled containers (aluminum, plastic, glass) are collected separately on alternating weeks (cardboard is collected once per month). Once collected, the materials are transported to a privately-owned MRF, the Lackawanna Recycling Center (LRC), for processing and marketing. The City's contract with the LRC has recently expired, and the City is currently evaluating bids for the processing and marketing of their recyclable materials.

The LRC was originally developed by the County following the passage of the Pennsylvania Municipal Waste Planning, Recycling, and Waste Reduction Act of 1988 (Act 101). The facility was built by the County to assist municipalities in achieving the diversion requirements set forth in Act 101 by processing recyclable materials and yard waste. The facility was publicly owned and operated by the County Solid Waste Department until the early 2000s when the County leased operations to a private company. More recently, in early 2020s, the facility was sold to a private company.

Similar to recyclable materials, yard and leaf waste collected from residents by the City were hauled to the LRC for processing into compost and mulch products. The City was not charged a fee for this service since the City also delivered recyclable materials to the facility. With the City's procurement of recyclable material processing and marketing services from another vendor, the owner of the LRC no longer allows the City to deliver yard and leaf waste to the facility at no charge. The LRC will now charge the City of Scranton $65/ton to deliver yard waste materials to the site.

The City requested recycling technical assistance in the following areas:

- Recycling Collection Method - City staff requested information and guidance on the collection method used for recyclable materials. This included the benefits and challenges of dual- and single-stream recycling collection methods. The City expects the results of the procurement process to change their program from tri-stream to either dual- or single-stream. This will result in the need for a coordinated and detailed education program.

- Site Selection - The City was recently awarded a DEP Section 902 Grant to acquire a new tub grinder to process residential yard waste. The City identified parcels of land to potentially develop a yard waste management and processing site. City staff requested guidance as to what the best site could be to establish such an operation.

2 SUMMARY OF WORK

The following lists the tasks to complete this recycling technical assistance project:

- Task 1 – Kick-off Meeting and Recycling Collection Options: The kick-off meeting included discussions with City staff to develop and review the project scope, desired outcomes, and work products. SCS provided a description of dual- and single-stream collection methods

including pros and cons of each that City solid waste staff used to inform the City Council of the different collection methods during a board meeting.[1]

- **Task 2 – Visit Potential Leaf Waste Collection/Processing Sites:** SCS staff visited each of the identified sites, Matthew Ave and Crowley Park locations, to observe the existing infrastructure, size, topography, access points, and the immediate surrounding community. **Figure 1** and **Figure 2** show aerial images of the Matthew Ave and Crowley Park locations, respectively.

- **Task 3 – Leaf Waste Site Suitability Screening:** Using data obtained from field observations and other GIS data SCS staff prepared a narrative discussion about the potential to establish a leaf waste receiving and processing facility at each identified site.

- **Task 4 – Final Report**: This report represents the final task of this project and includes our findings and recommendations.

[1] Task completed before modifying the scope of work to focus on leaf waste collection and processing

3 RESULTS

SINGLE VS. DUAL STREAM COLLECTION

Overview

The two most common types of residential curbside recycling collection programs include single stream and dual stream programs.

- **Single Stream –** All designated materials accepted as part of a recycling program are collected together in the same container. This is often the simplest program for municipalities and residents. All recyclable materials are collected curbside at the same time with one collection crew and truck from each household. Residents are not required to separate materials by type.

- **Dual Stream –** In a dual stream recycling program, typically all paper materials, including cardboard, newspapers, junk mail, and any other designated recyclable paper is collected in a recycling container while other recyclable materials, typically plastic, metal, and glass containers, are collected in a separate recycling bin or compartment apart from paper.

Currently, the City of Scranton operates a recycling collection program known as "tri-stream." This program is like a dual stream program with the exception being paper material is collected as two streams instead of one in addition to a third stream for plastic, metal, and glass containers. Paper materials in Scranton's "tri-stream" program include keeping corrugated cardboard separate from all other recyclable paper items. Cardboard is collected from residences once per month. All other recyclable paper materials (i.e. paperboard, newspaper, office paper, etc.) are collected on alternating weeks with the comingled (plastic, metal, and glass) collection. Each residential property served by the City's collection program is issued two containers: one for non-corrugated paper and one for comingled materials. The City expects residents to use a separate container or otherwise use a city container for corrugated cardboard recycling.

Comparison

There are advantages and disadvantages to each type of residential recycling collection program. Communities with single stream recycling programs like these programs for their convenience to residents and because collection costs tend to be lower and safer. Communities with dual stream programs often benefit from cleaner/less contaminated materials that are often higher quality and more marketable. Deciding which program type is best suited to your community often requires the balancing of residents' convenience with facilitating a program that produces clean marketable materials. Another significant factor in deciding which program type is most appropriate for your community is the available material processing infrastructure. Communities often need to implement programs that are compatible with the nearest available Material Recovery Facilities (MRF) equipment and infrastructure. **Table 1** lists the advantages and disadvantages of single stream recycling and **Table 2** lists the advantages and disadvantages of a dual stream program.

Table 1. Advantages/Disadvantages of Single Stream Recycling Programs

Advantages	Disadvantages
Convenience: Simple for residents to place all recyclable materials into one bin	**Processing:** Materials require significant processing to separate materials
Cost-Effectiveness: Only one vehicle is needed to collect all recyclable materials	**Education:** Requires extensive education to train people on what can be recycled
Participation: Simplicity of the program can lead to greater participation and potentially more materials being diverted from disposal	**Contamination:** Research has shown unwanted materials are more prevalent
Space: Residents do not need to have multiple recycling bins	**Cost:** Greater processing needs result in higher costs/more sophisticated equipment
Infrastructure: The need for only one collection vehicle reduces wear and tear on community roads and streets	**Material quality:** materials may be of lower quality
Safety: Single-stream collection is often automated which protects drivers/workers from injury outside the vehicle/near traffic	**Market Demand:** Lower quality materials may have limited markets
Environmental: Increased material tonnages save landfill space and preserve resources; use of one collection vehicle reduces emissions from transportation	

Table 2. Advantages/Disadvantages of Dual Stream Recycling Programs

Advantages	Disadvantages
Processing: Reduced processing requirements because residents separate paper and commingled containers	**Complex:** Confusing for residents as separation is required; added complication of making sure the correct bin is out on the collection day
Contamination: Generally, contamination in dual stream recycling is reduced as residents are required to do some sorting	**Participation:** Complex program may lead to reduced participation
Material quality: The separation of recyclable materials into two streams may result in higher quality/cleaner materials	**Space:** Residents likely need two separate collection containers for the different materials; need space to store those containers
Material Markets: High quality materials that may result from dual stream can be more marketable	**Education:** Increased public education required for complex program
	Costs: General higher collection costs to service two material streams; increased capital costs may be required for additional collection containers

Municipalities Switching Collection Methods

Municipalities around the country work to coordinate the best recycling programs for their residents. As recycling programs, markets, and equipment/infrastructure evolves, sometimes it becomes necessary to change program design to better position them for success. Recently, several communities in the Mid-Atlantic and Northeast regions of the country have changed their recycling program from single stream to dual stream. Research into why communities have made the change indicates that dual stream recycling better positioned their programs to reduce contamination and costs, which contributes to an overall more sustainable program. Careful consideration must be given before making a significant program shift that requires resources, education, and, in some cases, new partners to make the program successful. Table 3 highlights some communities that have recently switched collection methods.

Table 3. Municipalities with Dual Stream Recycling Collection Programs

Municipality	State	Timing	Rationale
South Orange Village	NJ	Returned to Dual Stream in 2023	Reduce contamination to improve the marketability of recycled commodities
Maplewood Township	NJ	Returned to Dual Stream in 2023	Increase in cost of single stream recycling processing fees.
Abington Township	PA	Changes began in 2006	Increasing cost of recycling for the community
Wilkes Barre	PA	Dual Stream Began in 2021	Contaminated materials causing additional disposal fees
Brookhaven	NY	Switched to Dual Stream in 2018	Cleaner materials to market

YARD WASTE COLLECTION PROGRAM

The City of Scranton operates a yard waste collection program that includes targeted collections for different types of materials depending on the season. This program includes the following residential curbside operations: Christmas trees throughout the month of January; brush materials for several weeks in the spring; and leaf waste for several weeks in the fall. All materials are collected using City owned and operated rear load trucks. Materials are manually collected; the City's yard waste program is not automated. Materials collected through the City operated curbside program were delivered to the LRC free of charge as the City also delivered recyclable materials to the facility. The City has since opted to contract for recycling processing services from another vendor. In addition to the curbside collection methods, up until the Spring of 2025 residents were able to drop off yard waste at the City's processor, the Lackawanna Recycling Center (LRC), until the facility ceased offering the drop-off service.

Recently, the private owner of the LRC began charging municipalities without a recyclable material processing contract $65 per ton to deliver leaf and yard waste materials to the facility. Due to an increase in the cost per ton to process recyclable materials, the City of Scranton no longer contracts with LRC. They are subject to the fee to deliver yard waste materials. In 2024, the City of Scranton collected almost 375 tons of yard waste materials, **Table 4** presents the quantity of yard waste by material type collected. Under the new fee structure the City of Scranton would have to pay an additional $25,000 to LRC to effectively manage their yard waste material stream.

Table 4. Yard Waste Collection Tonnage

Material Type	Quantity in Tons
Brush	18.45
Christmas Trees	1.69
Grass	1.33
Leaves	134.21
Wood Chips	219.23
Total	**374.91**

The high cost now being levied by the LRC for leaf and yard waste management is causing City of Scranton staff to examine alternative methods to manage this waste stream including developing a city-owned and operated facility. The City has applied and received approval for an Act 101 Section 902 grant for funds to purchase a tub grinder to assist their efforts to process yard waste to manage this waste stream for residents.

COMPOST SITE SUITABILITY SCREENING

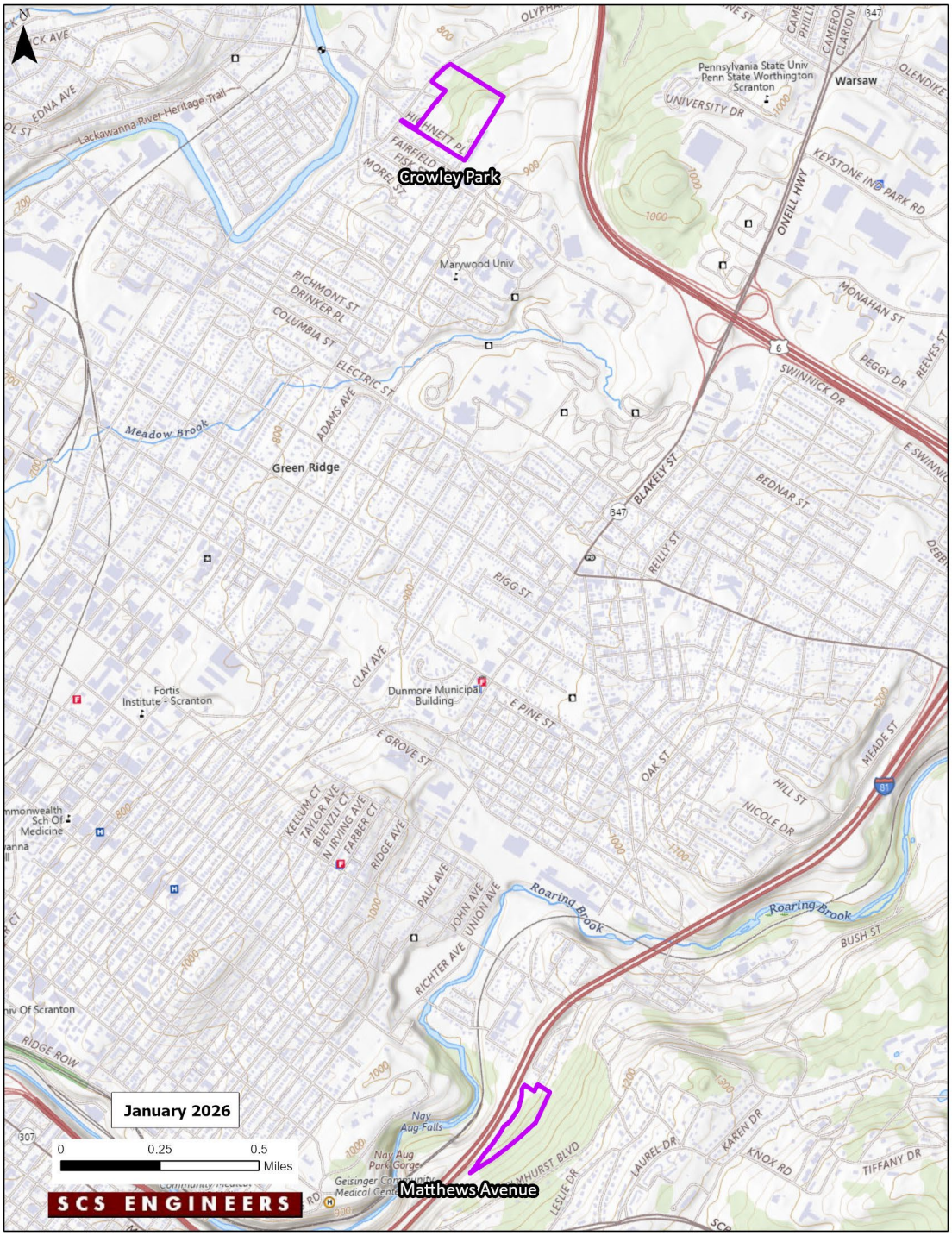
The City envisions establishing a permit-by-rule composting facility on City owned property to reduce the financial burden of purchasing a property to be developed. To be eligible for a permit-by-rule the facility must be less than five-acres, be operated in accordance with Pennsylvania Department of Environmental Protection (DEP) guidelines, and the owner/operator submits written notice to DEP including the name, address, telephone number of the facility, the responsible individual for

operating the facility and a brief description of the facility. A complete description of the requirements to obtain a permit-by-rule are included in **Appendix A.**

During the site visit, SCS staff met with City of Scranton staff to discuss the current yard waste program and the goals for the yard waste processing site. Additionally, the site visit included stops at two sites identified by City staff as having the potential to be developed into a composting site. Both sites toured were at least five acres in size and zoned for municipal use, which includes leaf and yard waste processing activities. **Figure 1** presents the locations of the two sites toured in the City of Scranton.

- **Crowley Park –** 1199 Highnett Pl, Scranton, PA 18509
- **Matthew Avenue** – 777 Matthew Ave, Scranton, PA 18510

Figure 1. Location of Potential Yard Waste Management Sites in City of Scranton



Crowley Park Site

The Crowley Park site is the larger of the two potential yard waste management site locations with a total area of 17.5 acres. Not all that area is available to be developed into a yard waste management facility due to existing baseball fields and public park developments. The site is in the northern part of the City of Scranton. Most of the property is covered by dense forest with hills in the northwest quadrant and a relatively flat area near the center. **Figure 2** presents the aerial imagery of the site showing the forested areas and existing recreational spaces.

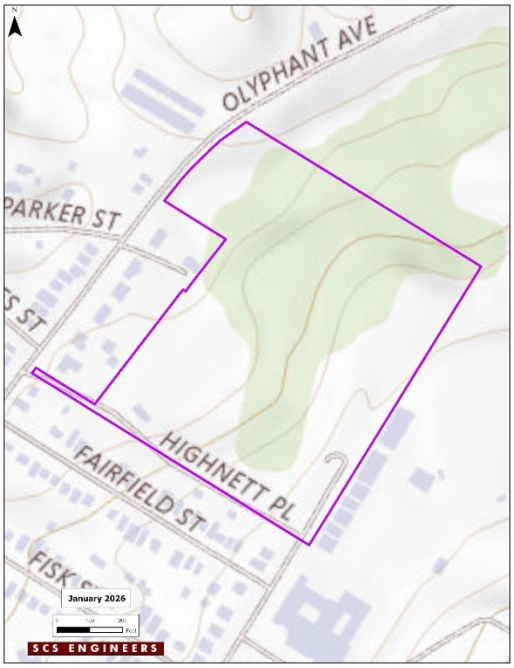
Figure 2. Aerial Imagery of Crowley Park Site

Accessibility and Roadways

The undeveloped portion of the Crowley Park site could be accessed from two different locations one on Olyphant Avenue to the northwest and the other on Highnett Place to the southwest. Neither

access point is well developed and would require engineering, design plans, and construction prior to functioning as access points. **Figure 3** illustrates a topographic map of the parcel and potential streets to access the site.

Figure 3. Topographic Map of Crowley Park Site



Olyphant Avenue: Located to the northwest, Olyphant Avenue is a relatively high-traffic roadway that could accommodate collection trucks accessing the site. This route would allow trucks access while minimizing the impact to the surrounding community. There is no direct entrance to the undeveloped portion of the property, a new access point and roadway would need to be designed and constructed.

Highnett Place: Located to the southwest, Highnett Place is a narrow street, functioning more like an alley than a standard roadway. This street would require widening and other improvements before it could safely serve as an access point for collection vehicles hauling materials in and out of the site. This street functions as the primary entrance to the existing baseball fields within Crowley Park. If developed into an access point for the site, there will likely be significant conflicts and safety concerns with traffic entering/exiting the site for use of the recreational fields located at this property.

Highnett Place access to Crowley Park

Accessing the undeveloped area of the property from Highnett Place would require collection vehicles to traverse through an overflow parking area that is often needed and used by families and other users of the ballfields. This truck route would pose significant safety concerns. Facility design must adequately separate the truck traffic from the overflow parking area to minimize or eliminate contact with residents using the existing recreation areas.

Site Preparation

Yard Waste management facilities require space that is flat to accommodate the processing and storage of materials. **Figure 4** illustrates the amount of vegetation currently on the undeveloped portion of the property for the facility and **Figure 5** shows a topographic map of the site. Below is a list of site challenges to be addressed before the site will be suitable for yard waste management activities.

- **Dense forest and vegetation** – A large portion of the property available for development into a yard waste management facility is covered by mature trees, all of which would need to be cleared to create the space necessary for compost operations such as windrows, grinding, screening, access, and storage of both raw materials and finished compost/mulch products.

- **Topography** – In addition to tree removal, extensive grading will be required to establish a stable, uniform surface capable of supporting heavy equipment, regular truck traffic and facility operations. Effective site design plans will be essential in determining the most efficient approach to site preparation. Strategic planning may reduce the amount of grading needed by maximizing use of portions of the property that are already relatively level. This would minimize both cost and environmental disturbance. Even with strategic planning the scope of earthwork is expected to be considerable.

- **Drainage/Stormwater** – During the site visit, a small stream or drainage feature was observed, with visible standing water present. Development plans will need to address this feature to properly manage stormwater, prevent erosion, and maintain compliance with DEP permit-by-rule requirements.

- **Utility connections** – Utilities are available near the property including water, sewer, and electrical. The potential facility will require new service connections to be created to access the utilities to support dust control measures, lighting, equipment operation and maintenance, and staff needs.

Adjacent Areas

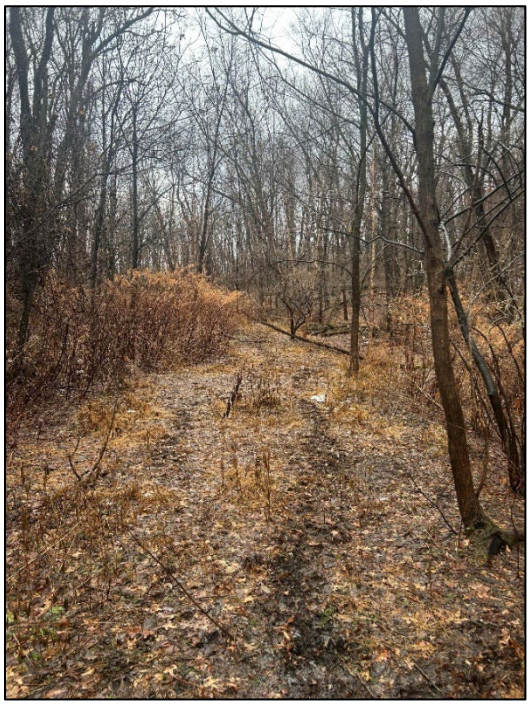
Facility operations have the potential to generate a range of nuisances that could adversely affect nearby land uses and residences and businesses, including increased noise levels and dust, higher volumes of truck traffic, and the attraction of vectors. The Crowley Park site is bordered on three sides by sensitive receptors, including residential neighborhoods, active baseball fields, and a public park, which heightens the potential for community impacts. Given the proximity to recreational and residential areas, public perception of a proposed yard waste management facility at this location may be unfavorable. As a result, City officials would need to dedicate substantial time and resources to proactively plan, implement, and maintain operational controls designed to minimize nuisances,

address safety concerns, and reduce conflicts with surrounding uses, as well as to engage with the community to mitigate opposition and build public trust.

Exhibit 1 features a selection of pictures taken during the site visit/tour of the Crowley Park site.

Exhibit 1. Pictures of Crowley Park Site

Drainage for stormwater on Crowley Park undeveloped parcel



Old graded section in the forest

Heavily forested flat area

Partially fenced in area

Old dumping grounds for tires and other waste

Heavily forested and sloped areas

Natural barriers from surrounding areas

Dense forest requiring large effort to clear

Matthew Avenue Site

The second site toured during the site visit is the Matthew Avenue Site located in the southern part of the City of Scranton. This site has a total area of 6.97 acres. The site is elongated and runs adjacent to Interstate 81. There are large transmission lines that run the length of the City owned property, dividing the site into two sections. The property is also bounded to the west by I-81 and forested land to the east. A residential neighborhood is located to the north of the property. **Figure 4** illustrates the boundaries of the property and forested areas on the aerial image.

Figure 4. Aerial Imagery of Matthew Avenue Site

Accessibility and Roadways

The site is located at the end of Matthew Avenue on the southeast side of Scranton, where the access road terminates at the City-owned property. Matthew Avenue is narrow and serves a residential neighborhood, with many residents parking along the street. The on-street parking further restricts the already limited roadway width. To support increased truck traffic, the roadway would need to be widened to provide adequate space for both through-traffic and parked vehicles.

The road surface of Matthew Avenue is worn, with visible cracks, potholes, and uneven areas. Additional truck traffic would accelerate this deterioration, leading to more frequent repairs or the need for earlier replacement. **Figure 5** illustrates the residential street conditions from the entrance to the Matthew Avenue site.

Figure 5. Access to Matthew Avenue Site from the Entrance

Site Preparation

The long narrow shape of the parcel limits the potential facility design and layout that may be constructed at this location. These facilities require a flat, open area to accommodate the processing and storage of materials. **Figure 4** illustrates the amount of vegetation currently on the property and **Figure 6** shows a topographic map of the site. Below is a list of challenges to be addressed before the site could be suitable for yard waste management activities.

- **Vegetation –** Much of the site is forested with the area underneath the transmission lined covered by grasses and small shrubs. The portions of the site covered by dense forest would require clearing to create space for facility operations.

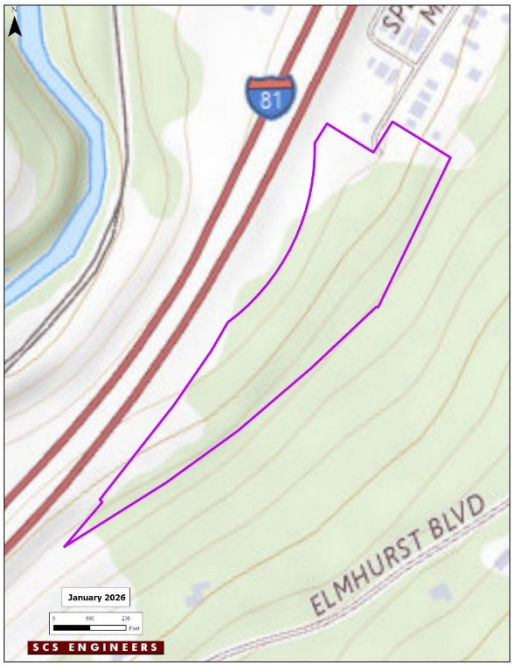
- **Topography** – The parcel is located at the bottom of a hill that slopes towards Interstate 81. This topography would need to be leveled to create a larger open area for facility operations to occur.

- **Drainage/Stormwater** – During the site visit, drainage from the hillside was running in streams and pooling/flooding flatter areas of the site. Stormwater running off the hillside will need to be effectively managed by the facility design to prevent long term issues caused by the flowing stormwater.

- **Utilities** – No utilities are currently run to the site at Matthew Avenue. New service connections for electricity, water, and sewer will need to be run to the site from the nearby residential area.

- **Transmission Lines** – The site has large transmission lines the run from the northeast corner through the middle of the parcel to the southwest corner. These lines running through the site pose a large safety hazard to potential heavy equipment operators performing facility operations. The utility companies typically do not allow impediment of the transmission line right-of-way due to safety concerns and providing access to perform maintenance or repair damages. Before considering the site further, the City should discuss allowable development near the transmission line right-of-way with the utility company.

Figure 6. Topographic Map of Matthew Avenue Site



Adjacent Areas

The Matthew Avenue site is surrounded by undeveloped land to the southeast and Interstate 81 to the northwest. There is only one small boundary that is close to residential properties. Residents will

likely favor development of a facility in an area separated from many homes or public parks. Adequate buffers from the surrounding areas should still be implemented to minimize impact of facility operations on residents and drivers on I-81.

Exhibit 2 features a selection of pictures taken during the site visit/tour of the Matthew Avenue location.

Exhibit 2. Pictures of Matthew Avenue Site

Entrance to site

Transmission lines running through the site

Small flat area with piles of logs

Water flowing into site from hillside

Old rail grade and bridge

Forested area needing along boundary of site

4 CONCLUSION

Both the Crowley Park and Matthew Avenue sites have limitations to their ability to be developed into a yard waste management site for the City of Scranton. Developing either site will be costly and require substantial amount of design/engineering, land clearing, and leveling before either can provide the City of Scranton with space to manage leaf and yard waste. Some of the costs associated with land clearing and leveling could be avoided or reduced by using alternative locations that already contain cleared land, such as a defunct little league field. These sites may offer existing open areas, established access points, or previous grading work that may lessen the extent of site preparation required before operating as a management facility. Before pursuing development of alternative sites, a thorough site evaluation would be required to confirm the property can accommodate a management facility. The sites would potentially have a negative impact on the surrounding residents and recreational spaces due to nuisances caused by facility operations including dust generation, truck traffic, odors, and safety hazards.

In choosing between only these two sites, given the information provided by the City of Scranton, observations during the site visit, and GIS data, it appears that the Crowley Park site may be more suitable for development into a yard waste processing facility than the Matthews Avenue location. However, there are likely better, more cost-effective sites available by collaborating with neighboring municipalities and Lackawanna County. An identified site in the surrounding area could be developed into a regional leaf and yard waste processing facility capable of providing management of leaf and yard waste materials for the greater Scranton region.

The City of Scranton is an Act 101 mandated recycling community and must continue to provide residents with the opportunity to divert leaf waste materials monthly. Appendix B includes the Act 101 requirements. In the short term, City of Scranton staff should consider continuing the partnership with LRC composting facility to maintain compliance with Act 101 and properly manage residents' yard and leaf waste. Over the long-term, the City of Scranton should consider working with Lackawanna County and neighboring communities to coordinate and establish a stable, reliable, and local/regional solution to manage leaf and yard waste to meet Act 101 requirements and provide important solid waste management services to their residents.

Appendix A

Pennsylvania Permit-by-Rule Requirements

Close Window

§ 271.103. Permit-by-rule for municipal waste processing facilities other than for regulated medical or chemotherapeutic waste; qualifying facilities; general requirements.

(a) *Purpose.* Facilities and activities described in this section shall be deemed to have a municipal waste permit by rule if the following general requirements are met:

(1) The facility or activity complies with Chapter 285 (relating to storage, collection and transportation of municipal waste).

(2) The facility or activity has the other necessary permits under the applicable environmental protection acts, and is operating under the acts and the regulations promulgated thereunder, and the terms and conditions of permits.

(3) A copy of a Preparedness, Prevention and Contingency (PPC) Plan that is consistent with the Department's guidelines for the development and imple-mentation of environmental emergency response plans is retained onsite and available to the Department upon request.

(4) Daily records of the weight or volume of waste that is processed, the method and location of processing or disposal facilities for wastes from the facility and waste handling problems or emergencies are retained onsite and available to the Department upon request.

(b) *Financial assurances.* Subchapter D (relating to financial assurances requirements) is not applicable to facilities which are deemed to have a permit under this section.

(c) *Inappropriate activity.* The Department may require a person or municipality deemed to have a permit-by-rule to apply for, and obtain, an individual or general permit, or take other appropriate action, when the person or municipality is not in compliance with the conditions of the permit-by-rule or is conducting an activity that harms or presents a threat of harm to the health, safety or welfare of the people or the environment of this Commonwealth.

(d) *Captive processing facility.* A facility that processes municipal waste that is generated solely by the operator, onsite or offsite, shall be deemed to have a municipal waste processing permit under this article if, in addition to subsections (a)—(c), the following conditions are met:

(1) Waste resulting from the processing is managed under the act and the regulations promulgated thereunder.

(2) The processing does not have an adverse effect on public health, safety, welfare or the environment.

(3) The processing occurs at the production facility at which some or all of the waste is generated.

(4) The operator performs the analyses required by § 271.611 (relating to chemical analysis of waste), unless the analyses are waived or modified by the Department in writing, and maintains results of these analyses at the facility for 5 years. The results shall be submitted to the Department upon request.

(5) For special handling waste, the operator submits a written notice to the Department that includes the name, address and telephone number of the facility, the individual responsible for operating the facility and a brief description of the facility.

(e) *Septage treatment facility.* A processing facility, other than a transfer or composting facility, that treats residential septage, either exclusively or mixed with nonresidential septage, shall be deemed to have a municipal waste processing permit under this article if, in addition to subsections (a)—(c), the facility complies with the following:

(1) The operator performs the analyses required by § 271.611, unless the analyses are waived or modified by the Department in writing, and maintains results of these analyses at the facility for 5 years. The results shall be submitted to the Department upon request.

(2) The processing is included as part of a wastewater treatment process permitted by the Department under The Clean Streams Law (35 P. S. § § 691.1—691.1001), or as part of a permit issued under the act, or the discharge resulting from the processing activity is connected to a public sewer in compliance with the local sewer authority's requirements, and one of the following applies:

(i) The facility discharges into waters of this Commonwealth under a Part II NPDES permit or a water quality management permit and is in compliance with the permit.

(ii) The facility discharges into a permitted wastewater treatment plant and is in compliance with the permit.

(3) The operator submits a written notice to the Department that includes the name, address and the telephone number of the facility, the individual responsible for operating the facility and a brief description of the facility.

(f) *Incinerator.* A municipal waste incinerator located at the generation site shall be deemed to have a municipal waste permit under this article if, in addition to the requirements of subsections (a)—(c), the operator submits a written notice to the Department that includes the name, address and telephone number of the facility, the individual responsible for operating the facility and a brief description of the facility and the facility meets one of the following:

(1) The facility is not required to obtain a permit under the Air Pollution Control Act (35 P. S. § § 4001—4015) and the regulations promulgated thereunder.

(2) The facility has a capacity of less than 500 pounds or 227 kilograms per hour and is permitted under the Air Pollution Control Act.

(g) *Mechanical processing facility*. A facility for the processing of uncontaminated rock, stone, gravel, brick, block and concrete from construction/demolition activities, individually or in combination, by mechanical or manual sizing or by mechanical or manual separation for prompt reuse shall be deemed to have a municipal waste processing permit-by-rule if it meets the requirements of subsections (a)—(c) and submits a written notice to the Department that includes the name, address and telephone number of the facility, the individual responsible for operating the facility and a brief description of the waste and the facility. The facility shall be onsite or process less than 50 tons or 45 metric tons per day, and may not operate in violation of any State, county or municipal waste management plan.

(h) *Yard waste composting facility.* A person or municipality that operates a yard waste composting facility that is less than 5 acres, other than an individual backyard composting facility, shall be deemed to have a municipal waste processing permit-by-rule if the person or municipality meets the requirements of subsections (a)—(c), the facility is operated in accordance with the Department's guidelines on yard waste composting and the operator submits a written notice to the Department that includes the name, address and telephone number of the facility, the individual responsible for operating the facility and a brief description of the facility.

(i) *Rural transfer facility.* The following apply to a facility that provides publicly available municipal waste processing and collection of source separated recyclable materials:

(1) A processing facility shall be deemed to have a municipal waste transfer facility permit under this article if, in addition to subsections (a)—(c), the following conditions are met:

(i) No processing other than the transfer of residential municipal waste, construction/demolition waste and yard waste takes place at the facility.

(ii) The facility provides for the collection of, at a minimum, steel and bimetallic cans, corrugated cardboard and aluminum for the purpose of recycling.

(iii) The facility does not collect or process any liquid, special handling waste, residual waste or hazardous waste.

(iv) Except as provided in paragraphs (2) and (3), the volume of municipal waste stored at the facility prior to transfer does not exceed 80 cubic yards stored in a maximum of four containers.

(v) Municipal waste is transferred to a permitted processing or disposal facility at least once every 10 days and the total volume of municipal waste managed at the facility does not exceed 160 cubic yards during the same 10 days. A full container must be transferred to a permitted processing or disposal facility within 72 hours of the container being filled.

(vi) Records of pick up dates for all containers at the facility shall be kept onsite for 5 years and made available to the Department upon request.

(vii) The facility does not cause or allow a point or nonpoint source discharge in violation of The Clean Streams Law from or on the facility to surface waters of this Commonwealth.

(viii) The facility is not located in any of the following:

(A) A populated area as described in § 272.411(a) and (b) (relating to affected municipalities) and section 1501(a) and (b) of the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. § 4000.1501(a) and (b)).

(B) A municipality with a population density over 300 people per square mile.

(C) An area that is zoned as residential, unless otherwise approved in writing by the municipality.

(ix) The facility does not store waste, yard waste or source separated recyclable materials outside of a container.

(x) The facility does not accept waste transported by a truck, tractor or combination having a gross vehicle weight rating, gross combination weight rating, registered gross weight, registered combination weight or actual gross weight of 17,001 pounds or more.

(xi) The facility is operated in a manner to minimize and control nuisances and vectors.

(xii) Source separated recyclable materials are stored in a manner which preserves their marketability.

(xiii) The operator submits written notice to the Department as follows:

(A) Within 30 days of October 29, 2022, and by January 31 every 5 years after the initial notice.

(B) The operator of a rural transfer facility constructed after October 29, 2022, shall submit written notice to the Department at least 30 days before beginning operation and by January 31 every 5 years after the initial notice.

(C) The written notice shall contain the following:

(I) The name, address and telephone number of the facility.

(II) Proposed hours of operation for the facility.

(III) The name, address and telephone number of the person or municipality responsible for operating the facility.

(IV) A brief description of the facility.

(V) The name and address of the facilities to which the rural transfer facility transfers municipal waste. The rural transfer facility shall notify the Department in writing of any changes to the facilities to which it transfers waste within 15 days of the change.

(xiv) The operator posts and maintains signs that include all of the following information:

(A) Facility name.

(B) Hours of operation.

(C) A list of accepted materials.

(D) The name, business address and telephone number of the facility operator.

(2) A rural transfer facility may provide for collection of construction/demolition waste, in addition to the volumes permitted in subsection (i)(1)(iv), if the following conditions are both met:

(i) The volume of construction/demolition waste stored at the facility prior to transfer does not exceed 40 cubic yards, stored in a maximum of two containers.

(ii) The containers are removed and taken to a permitted processing or disposal facility at least once every 10 days.

(3) A rural transfer facility may provide for collection of yard waste, in addition to the volumes permitted in subsection (i)(1)(iv), if the following conditions are both met:

(i) The volume of yard waste stored at the facility prior to transfer does not exceed 40 cubic yards, stored in a maximum of two containers.

(ii) The containers are removed at least every 10 days and taken to a composting facility, land application site or other facility permitted for the beneficial use of yard waste.

Authority

The provisions of this § 271.103 amended under sections 105 and 501 of the Solid Waste Management Act (35 P.S. § § 6018.105 and 6018.501), sections 301 and 302 of the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. § § 4001.301 and 4001.302) and section 1920-A of The Administrative Code of 1929 (71 P.S. § 510-20).

Source

The provisions of this § 271.103 adopted January 24, 1997, effective January 25, 1997, 27 Pa.B. 521; amended December 22, 2000, effective December 23, 2000, 30 Pa.B. 6685; amended November 7, 2014, effective November 8, 2014, 44 Pa.B. 7021; amended October 28, 2022, effective October 29, 2022, 52 Pa.B. 6697. Immediately preceding text appears at serial pages (374709) to (374710) and (385889).

Cross References

This section cited in 25 Pa. Code § 271.1 (relating to definitions); 25 Pa. Code § 271.421 (relating to administrative inspections); 25 Pa. Code § 271.611 (relating to chemical analysis of waste); 25 Pa. Code § 279.1 (relating to scope); 25 Pa. Code § 283.1 (relating to scope); and 28 Pa. Code § 1151a.40 (relating to management and disposal of medical marijuana waste).

Bottom

Appendix B

Pennsylvania Act 101 Summary

Summary of Act 101
Mandatory Municipal Recycling Requirements

Overview

Chapter 15, Section 1501 of the Pennsylvania Municipal Waste Planning Recycling and Waste Reduction Act (Act 101), outlines the requirements for large municipalities to recycle. Municipalities, other than counties, with a population of 10,000 or more people or with a population of more than 5,000 but less than 10,000 people, and a population density of more than 300 people per square mile, are mandated to recycle.

Recycling Ordinance

An Act 101 mandated local government must adopt an ordinance that requires recycling. The ordinance shall require the following:

1) Recycling at single-family homes and apartments; commercial, municipal, and institutional establishments; and at community activities.
2) A scheduled day, at least once per month, when separated recyclable materials are to be placed at the curb or similar location for collection.
3) A collection system, including trucks and related equipment, to pick-up separated recyclable materials from the curb or similar location at least once per month from homes and businesses in the municipality. The municipality shall explain how the system will operate, the dates of collection, the responsibilities of persons within the municipality and incentives and penalties.
4) Provisions to ensure compliance with the ordinance, including incentives and penalties.
5) Provisions for the recycling of collected materials.

Residential Recycling

Residents must separate for recycling at least three materials deemed appropriate by the municipality from municipal waste generated at their homes, apartments, or other residential establishments. Separated materials must be stored at the property until collection. The three materials must be selected from the following:

- Clear glass:
- Colored glass;
- Aluminum;
- Steel and bimetallic cans;
- High-grade office paper;
- Newsprint;
- Corrugated paper;
- Plastics.

Leaf waste must also be separated from municipal waste generated at residential properties and stored for collection, unless residents have already provided for the composting of the materials (i.e. backyard composting).

Owners or landlords of multi-family rental properties with four or more units must establish a recycling collection system at each property. The collection system must include suitable containers for collecting and sorting materials, easily accessible locations for the containers and written instructions to the

occupants concerning the use and availability of the collection system. Owners or landlords that comply with these requirements shall not be liable for noncompliance by occupants of their buildings.

Commercial, Municipal, and Institutional Recycling
Occupants of commercial, municipal, and institutional establishments are required separate and store for recycling of the following materials at a minimum:

- High-grade office paper
- Aluminum;
- Corrugated paper;
- Leaf waste.

Occupants of commercial, municipal, and institutional establishments may be exempt from the requirements of this law if those persons have otherwise provided for the recycling of materials they are required to recycle. To be eligible for an exemption, the commercial, municipal, or institutional generator must provide written documentation to the municipality annually.

Community Activity Recycling
Organizers of community events must provide for the separation, storage, and collection of high-grade office paper, aluminum, corrugated paper, and leaf waste at the events. Community activities required to recycle include events sponsored in whole or in part by a municipality or held within a municipality and sponsored privately. Events include fairs, bazaars, picnics, or sporting events that will be attended by more than 200 or more people each day of the event.

Leaf Waste Diversion
Municipalities mandated to recycle under Act 101 must require residential and commercial establishments to separate and store leave waste for collection. Leaf waste includes leaves, shrubbery, tree trimmings, and similar materials, excluding grass clippings. These materials must be collected at least monthly. In order to comply with Act 101, mandated municipalities must at a minimum:

1) Implement an ordinance that requires leaf waste to be separated from municipal waste for recycling at residential and commercial, municipal, and institutional establishments, AND
2) Establish a scheduled day, at least once per month, when leaf waste is collected curbside or similar location, OR
3) Establish a scheduled day, no less than two times per year and preferably in the spring and fall, when leaf waste is collected curbside or similar location from residential and commercial establishments, AND facilitate a drop-off location or other collection alternative approved by the Pennsylvania Department of Environmental Protection that allows persons to drop-off leave waste for composting at least once per month. A leaf waste drop off site can be in a neighboring municipality or at a private establishment provided there is an agreement in place to utilize the site, and residents and occupants of commercial establishments are informed of the drop-off location at least every six months.

Municipalities are encouraged to manage source separated Christmas trees as leaf waste for processing at DEP approved composting facilities.

Public Education and Outreach

Municipalities subject to the requirements of Act 101 must implement a comprehensive and sustained public education program. This program is to provide residents and owners/tenants/occupants of commercial, municipal, and institutional establishments with information on recycling program features and requirements. The educational program includes two features:

- **Initial Education –** At least 30-days prior to the start of a recycling program notify all persons occupying residential, commercial, municipal, and institutional establishments of the recycling requirements as contained in the ordinance.
- **Sustained Education –** Every six months the municipality must inform and remind all persons occupying residential, commercial, municipal, and institutional establishments of the recycling requirements.

Numerous forms of educating the public are acceptable and include:

- Newspaper advertisement circulating in the municipality;
- Public notice posted where such notices are customarily posted;
- Notices in other official notifications (i.e. utility bills);
- Website;
- Newsletter;

A combination of forms are acceptable and at least one form must be in print annually.

Implementation

Municipalities may implement their responsibilities for the collection, transportation, processing, and marketing of recyclable materials in one or a combination of the following ways:

1) Collect, transport, process, and market recyclable materials themselves;
2) Enter into a contract(s) with other entities for the collection, transportation, processing, or marketing of recyclable materials. If contracting for recycling services, the entity being contracted is responsible to the municipality for implementing of recycling activities.
3) Contract with a landfill or material recovery facility, in lieu of a curbside recycling program, that guarantees by contract that at least 25 percent of the waste received is recycled. The technology utilized in this program must have prior approval from DEP.
4) Utilize a recycling facility that demonstrates that the materials separated, collected, recovered, or created by the facility can be marketed as readily as materials collected through a curbside recycling program. In addition, the mechanical separation technology used by the facility has been demonstrated to be effective for the life of the facility.

Exceptions

The municipality is not required to collect, transport, process, or market recyclable materials or contract for these services if all of the following conditions are met:

1) The municipality is not collecting and transporting municipal waste from such establishment or activity.
2) The municipality has not contracted for the collection and transportation of municipal waste from such establishment or activity.
3) The municipality has adopted an ordinance as required, and the establishment or activity is in compliance with the provisions of the ordinance.

Act 140
Requirements for Section 904 Recycling Performance Grants

Overview

Act 101 was amended in 2006 by Act 140 to establishment requirements for the use of Section 904 Recycling Performance Grants.

Requirements:

Municipalities mandated to recycle under Act 101 and receive more than $10,000 in funding from recycling performance grants must meet the following requirements:

1) Requires, through ordinance, that all residents have waste and recycling service.
2) Has an implemented residential recycling program and facilitates a commercial recycling program or participates in a similar county or multi-municipal program.
3) Has a residential and business recycling education program.
4) Has a program of enforcement that periodically monitors participation, receives complaints and issues warnings for required participants and provides fines, penalties, or both, in its recycling ordinance.
5) Has provisions, participates in a county or multi-municipal program or facilitates a private sector program for the recycling of special materials.
6) Sponsors a program, facilitates a program or supports an organization to address illegal dumping and/or littering problems.
7) Has a person or entity designated as recycling coordinator who is responsible for recycling data collection and reporting recycling program performance in the municipal or municipalities.

If these requirements are not satisfied by the municipality, then the grant funds awarded under this section must be expended by the municipality only to satisfy these requirements. If all these requirements are satisfied, then the grant funds awarded may be used for any expense as selected by the municipality.