



Developing a Mandatory Recycling Ordinance and Business Recycling Education Program Project #606

Prepared for:

Bridgeport Borough

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Table of Contents

Section	Page
Acknowledgements.....	2
1 Statement of Problem	3
2 Summary of Work performed	4
3 Results/Findings.....	5
Ordinance Language	5
Recyclables	5
No-Burning	5
Leaf Waste Separation.....	6
Enforcement.....	6
Hauler Education.....	7
Residential and Commercial Education.....	7
Business Recycling Education Program.....	8
Recycling Webpage	8
Other Considerations	8
Section 902 Grant Requirements.....	8
Bulk Item Fee.....	9
Pay-As-You-Throw	10
4 Recommendations/Solutions.....	10
5 Conclusion.....	12

List of Tables

No.	Page
Table 1. Bridgeport Borough Historic Recycling Data	3

Appendices

- A – Pennsylvania’s Act 101 Recycling Program Requirements
- B – PADEP’s Section 902 Grant Application Guidelines Regarding Proper Management of Recyclables, Including Leaf Waste
- C – Pennsylvania’s Act 101 Leaf Waste Collection Requirements
- D – Draft Recycling Ordinance
- E – Example Notice of Violation
- F – Draft Hauler Notification
- G - Pennsylvania’s Act 101 Recycling Education Requirements
- H – Draft Resident and Business Notification
- I – Recycling Webpage Material, Recycling Reminder Poster, Acceptable Materials Poster
- J – Section 902 Recycling Grant Fact Sheet

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1 STATEMENT OF PROBLEM

Bridgeport Borough (the Borough, or Bridgeport) is a 0.8 square-mile non-mandated¹ municipality in Montgomery County, Pennsylvania with 4,554 residents, or about 2,000 households that began a weekly, curbside, single-stream, residential recycling program in 2015. The Borough contracts with a single hauler to provide residential curbside recycling. Businesses are responsible for contracting privately for trash and (if desired) recycling collection. Bridgeport saw a 650 percent increase in residential recycling after implementing curbside recycling; however, the commercial recycling remained stagnant, as shown in **Table 1**. Bridgeport Borough would like to make the best use of the new recycling program, and would like to have increased recycling in all sectors. Bridgeport is seeking to make residential and commercial recycling mandatory via ordinance, and to reach out to its many businesses to educate them about recycling. Through the partnership between SCS Engineers and the Pennsylvania Department of Environmental Protection (DEP), the Borough received technical assistance from KRF Environmental.

Table 1. Bridgeport Borough Historic Recycling Data

Year	2016	2015	2014	2013	2012
Residential Tons Reported	397.2	330.1	44.1	33.4	22.0
Commercial Tons Reported	185.6	199.3	193.1	201.7	77.0
Total Tons Reported	582.8	529.4	237.2	235.1	99.0
Municipal Recycling Rate (%)	13.6%	14.5%	2.4%	1.8%	1.2%
Estimated Section 904 Grant Award*	\$5,532	\$6,203	\$1,287	\$1,284	\$494

* Beginning in 2015, DEP changed the grant award guidelines to subtract 15 percent residue from most tonnages, instead of using processing facility reported residue rates.

¹ Act 101 mandates that Pennsylvania municipalities containing over 10,000 people, or over 5,000 people if population density exceeds 300 per square mile, require residential and commercial recycling.

2 SUMMARY OF WORK PERFORMED

Task 1 – Project Organization – KRF Environmental (KRF) contacted Bridgeport Borough and developed a Scope of Work.

Task 2 – Data Gathering – KRF gathered information on current ordinance enforcement channels, ordinance format, trash removal guidelines, business networking channels, business concerns, website revision protocol, leaf and yard waste recycling opportunities, and strategies to increase participation. KRF developed draft recycling ordinance language and developed a business recycling education program.

Task 3 – Report Writing – KRF produced a draft report that detailed ordinance and education options. Appendices include Borough-specific ordinance language, residential and commercial educational material pertaining to the ordinance, recycling program website material, and business recycling educational material suggestions.

Task 4 – Report Revision and Final Submission – KRF will revise the draft report as necessary and submit the final report.

3 RESULTS/FINDINGS

ORDINANCE LANGUAGE

Recyclables

A mandatory recycling ordinance is a way to require recycling, commercially and residentially, in the municipality. Pennsylvania’s Act 101 mandates recycling in municipalities with populations of greater than 10,000, or in municipalities with populations between 5,000 and 10,000 and more than 300 persons per square mile.

Bridgeport Borough is *not* a mandated municipality and does not currently have an ordinance mandating recycling. According to Act 140 of 2006, the DEP requires any municipality receiving more the \$10,000 of Section 904 grant money to have a mandatory residential and commercial recycling ordinance, recycling education, recycling enforcement, anti-litter program, designated recycling coordinator, and involvement in the County hazardous waste collection program. See **Appendix A** for a summary of Act 140 impacts on Act 101 Performance Grants. Since the 2015 inception of Bridgeport’s recycling program, the recycling tonnage and corresponding Section 904 grant award has increased significantly.

Bridgeport Borough should enact an ordinance that requires recycling commercially and residentially, both to be eligible for Section 904 grant amounts over \$10,000 and to increase the effectiveness of its recycling program. Also, as discussed later in this report, the more a non-mandated municipality complies with the Act 101 requirements for a mandated municipality, the more favored it is for a competitive Section 902 Recycling Program Implementation and Development Grant. An ordinance would require commercial establishments to contract privately with a hauler for recycling collection. Some commercial establishments in the municipality are already recycling. Bridgeport Borough currently provides residential trash and recycling collection and transportation. If an ordinance was added to require recycling, residents may feel more obligated to use the provided recycling services, and commercial recycling may also increase.

No-Burning

A local government that is mandated to recycle under Act 101 may not allow the burning of materials it recycles (e.g., paper, plastic, glass, cardboard, cans, and leaf waste). While Bridgeport is not an Act 101 mandated municipality, it must not allow the burning of recyclables or leaf waste in its ordinance to be eligible for a Section 902 grant.

Prohibition of outdoor burning may be addressed in the recycling ordinance, a fire prevention ordinance, or a specific no-burn ordinance. Certain burning activities may be permitted by the Borough on a case-by-case basis, which can be managed through dispensation of “burn permits.” Some local boroughs have burning activities in the municipality monitored by the fire marshal. Currently, Chapter 137-6 of the Borough Code may be in violation of the no-burn rule. Included the burning prohibition of the draft recycling ordinance is a repealer clause so that any current ordinance in violation of the no-burn rule will be repealed. The DEP’s Section 902 Grant Application Guidelines Regarding Proper Management of Recyclables, Including Leaf Waste can be found in **Appendix B**.

Leaf Waste Separation

As a non-mandated municipality, Bridgeport is not required to provide yard waste pickup. However, complying with Act 101 requirements for mandated municipalities is beneficial when applying for Section 902 grants, as previously discussed. Per Act 101, leaf waste must be separated from the municipal waste stream and composted at home or at a composting facility; therefore, it cannot be disposed of or burned. Pennsylvania's Act 101 Leaf Waste Collection Requirements are included as **Appendix C**.

Since Bridgeport residents can drop off leaf waste and yard waste for composting at the Heuser Park Compost Facility in neighboring Upper Merion Township and the Barnside Farm Compost Facility in Schwenksville, the municipality is only required to establish a leaf waste collection schedule for pickup at least twice per year, once in the spring and once in the fall, to be in compliance with Act 101. Currently, Bridgeport performs leaf pickup frequently throughout fall and spring, and performs a January Christmas tree pickup. Since there is not much leaf waste generated in the Borough, Bridgeport should consider scheduling specific leaf collection dates for the spring and fall in order to make more efficient use of the Public Works Department's time and resources.

Leaf waste separation language is included in the draft ordinance. The Borough and Borough Solicitor should discuss the recommended ordinance language and keep, edit, or remove parts as they see fit. The Draft Recycling Ordinance can be found in **Appendix D**.

Enforcement

After educating residents and businesses about a new recycling ordinance, some non-compliance issues may arise. It is important to advertise a Borough contact email and/or phone number to answer recycling questions or address problems. This same contact email and/or phone number can be used in case of illegal dumping or litter complaints to fulfill the anti-litter requirement of Act 140.

Facilitating communication about recycling should prevent some non-compliance issues and provide an avenue for identifying problems. It is important to educate the Borough's contracted waste and recycling haulers about the recycling ordinance, and to encourage them to report compliance problems to the Borough and refuse to pick up containers with mixed trash and recyclables. When a non-compliance issue arises, most municipalities enforce their recycling program through warning letters, notices of violation, and fines. The Borough secretary, a zoning officer, or other Borough official should be designated as the recycling violations coordinator, and may cite and keep record of recycling violations. Based on interviews, local governments did not identify the need to impose fines on a regular basis. A simple way of dealing with a violation is to send a letter to the violator outlining the nature of the violation and a highlighted copy of the ordinance identifying fine amounts. According to many municipalities, a warning letter often fixes the problem. If the problem persists, a fine may be imposed. **Appendix E** provides an Example Notice of Violation. This Draft Notice does not constitute legal advice, and any such notice should be reviewed by the municipal solicitor.

Some jurisdictions have municipal employees, rather than or in addition to contracted hauler employees, check containers for incorrect material and issue warnings when residents are in violation. This practice has proven to be a very effective means of education in other

municipalities. It can be employed in Bridgeport, though it requires dedicated staff time. The acronym SWEEP (Solid Waste Education and Enforcement Program) is used in multiple municipalities and could be adopted by Bridgeport. Naming and acknowledging the program on the website and/or in newsletters can increase recycling awareness and also alert residents that Borough public works staff will be checking containers for compliance.

Hauler Education

When Bridgeport Borough enacts the recycling ordinance, it is important to educate the contracted residential and commercial waste and recycling haulers about the requirements of the new ordinance so they can act as partners in establishing the new recycling rules. The contracted residential haulers can educate residents by tagging containers that include inappropriate material. For example, a hauler would communicate a violation to a resident by tagging a recycling container that contains some trash, leave the full container at the curb, and inform the Borough of the address in non-compliance. If commercial waste haulers know that businesses are required to recycle, they can inform businesses of their ability to provide recycling services to help them comply with the Borough's requirement. Commercial haulers need to be informed of the recycling services they must offer, and the associated recycling reporting requirements. Bridgeport should send each hauler a bullet point summary of the new rules, with a copy of the new ordinance. **Appendix F** provides a Draft Hauler Notification. The Borough can request hauler assistance with education, but the Borough must ultimately take responsibility for enforcing the ordinance.

Residential and Commercial Education

When Bridgeport establishes the recycling ordinance, significant residential and commercial education is highly recommended. A letter should be sent to all residents and businesses before the recycling ordinance takes effect. Information should be posted on the Borough's website and Facebook® account, and be sent to the Bridgeport Business Association. Residents and businesses should receive a second letter after the ordinance takes effect. At a minimum, most municipalities provide recycling education via their website and newsletters (sent at least twice per year). The recently resurrected Borough Newsletter would be a great place to post recycling reminders. The following education methods are recommended: Twitter® or Facebook® accounts to send out reminders, door hangers, flyers, postcards, detailed website information, press releases, information on the municipal public access television channel, a publicly-displayed banner, promotional items, school education, and inclusion in municipal communications such as newsletters and tax bills. The Borough should use varied media in educating the public to reach different demographics of the population.

To comply with Act 140 and be eligible for over \$10,000 of Section 904 Grant funding, a municipality must have a "residential and business recycling education program." If Bridgeport wishes to comply with Act 101, it must notify residents and businesses of the ordinance requirements at least 30 days prior to the initiation of the recycling program and at least once every six months thereafter. Bridgeport could send out an initial letter notifying residents and businesses of the recycling ordinance and then continue to send reminders in most Borough communications to residents. Website ideas are discussed later in this report. **Appendix G** provides more detailed information on Pennsylvania's Act 101 Recycling Education Requirements. **Appendix H** provides a Draft Resident and Business Notification.

Business Recycling Education Program

Businesses will be required to contract with private haulers for recycling services and the Borough should assist them with this transition. The Bridgeport Business Association (BBA) can facilitate implementation of the new ordinance by providing a forum to present recycling information and helping smaller businesses in close proximity share recycling contracts as a cost-saving method. The Borough could periodically request time at a BBA or Borough of Bridgeport Small Business and Economic Development Committee meeting to present new recycling requirements and available recycling resources. Many businesses in Bridgeport already recycle, and some of those business owners could be invited to the meetings to give a first-hand account of how recycling is performed in their workplace. The Borough can provide businesses with tools for recycling program startup and education, such as hauler contact information and recycling information flyers to post in the workplace. The Borough can include recycling requirements and available resources in Borough communications sent to businesses.

The Borough should keep a business/landlord directory with contact names, phone numbers, emails, and the contracted recycling haulers. Each year the Borough can contact a portion of the businesses/landlords to check on their recycling efforts and ask for suggestions or answer questions. After the Recycling Ordinance is passed, the Borough should send the Draft Resident and Business Notification, presented in **Appendix H**.

Recycling Webpage

The Borough's website should serve as an important outlet for providing information on recycling to residents and business owners. At a minimum, the website should be updated to include:

- The Recycling Ordinance;
- Overview of recycling, trash, and leaf waste separation requirements;
- Borough contact email and/or phone number in case of recycling questions or problems;
- Contact email and/or phone number in case of illegal dumping or litter complaints; and
- Links to the County Household Hazardous Waste Program Information.

The website tab currently labeled "Trash" should be changed to "Trash/Recycling/Leaves" and the Wastewater Treatment Plant Information should be located under a separate tab. The new webpage can include business recycling materials such as a Recycling Requirement Information Sheet (the Resident and Business Notification in **Appendix H** can be used for this purpose), Recycling Reminder Poster, and Acceptable Materials Poster, which can be downloaded, printed, and used in the workplace or rental unit to educate employees or tenants about recycling practices. **Appendix I** provides Draft Recycling Website Material for residents and businesses, including a Recycling Reminder Poster, and Acceptable Materials Poster.

OTHER CONSIDERATIONS

Section 902 Grant Requirements

Bridgeport previously considered applying for a DEP Section 902 Recycling Program Implementation and Development Grant. These grants offered by the DEP reimburse counties and municipalities 90 percent of eligible recycling program development and implementation expenses. This grant is very competitive and is typically offered once per year, but recently has not had a

predictable schedule. Municipalities may apply every year, but if they are awarded a grant, they may not apply during the next grant round. To be eligible for this grant, the Borough would need to make sure none of its ordinances allow the burning of leaves or other recyclable material.

To be competitive for this grant, non-mandated municipalities like Bridgeport should be in compliance with Act 101 requirements for mandated municipalities as much as possible. According to DEP representatives, a municipality is more likely to receive a grant if the following are met:

- Implemented a mandatory recycling ordinance;
- Collects recyclables once-per-week;
- Collects at least seven of the Act 101 recyclables (office paper, cardboard, mixed paper, clear glass, colored glass, aluminum cans, steel or bimetal cans, newspaper, plastics, etc.);
- Collects leaves and yard waste;
- Distributes residential and commercial recycling education material at least twice per year;
- Collects recyclables at community events;
- Conducts an anti-litter program; and
- Demonstrates a financially sustainable program.

The Section 902 grant application period is now open and applications are due April 7, 2018. The application process typically requires the submittal of several pieces of information, including: contact information, detailed information about the waste, leaf, and recycling programs, details about processing facilities, copies of applicable ordinances, details about the education program, copies of the past year's recycling education material, details on the project to be funded, itemized financial statements for the past five years of income and expenses of the waste and recycling programs (including line items for education and leaf collection), proposed project scope of work, itemized financial data for the proposed project to be funded, detailed quotes from vendors, among other things.

After completing a draft of the grant application, a municipality must schedule a pre-application conference with the regional DEP representative. The DEP representative will review the draft application and make edits and appropriate suggestions. After the application is submitted, there is no specified timeframe for approval. If the grant application is not approved, the municipality may apply the following year reusing much of the same information.

Once Bridgeport enacts the recycling ordinance, including the no-burning clause, the Borough will be eligible and more favorably positioned to receive a Section 902 Grant. The Borough could apply for a grant to fund recycling public education program development, school recycling education program development, or processing equipment for non-standard items (like Styrofoam® products). **Appendix J** includes the Section 902 Recycling Grant Fact Sheet.

Bulk Item Fee

The cost of disposing a large item includes both the hauling costs and tipping fee at the landfill. The actual cost to haul and dispose of a large sofa for example may be around \$15. While most bulk items are not as large as a sofa, imposing a bulk item sticker fee is a simple way to have residents pay for the services they use.

Bulk sticker programs are usually implemented by purchasing a pack of large bright stickers, perhaps labeled “Bridgeport Borough Bulk Item Pickup,” and requiring residents to purchase a sticker at the Borough Offices. Many townships have bulk sticker prices of \$20, \$30, or more, but even a \$10 bulk item sticker fee can help encourage more recycling. Residents can then be required to affix a bulk item sticker to each item they put out for bulk pickup, and the hauler is instructed not to pick up any bulk item without a sticker. Many bulk items can be reused or recycled. Putting a price on bulk item pickup helps cover the actual cost of dumping heavy items at the landfill, and may encourage residents to seek alternate disposal methods such as donation of household items or recycling of white goods (e.g. dryers, washing machines, or water heaters). The addition of a bulk item sticker fee would also provide the Borough with funds that could offset trash and recycling hauler costs.

Pay-As-You-Throw

One proven way to increase recycling participation is to institute a Pay-As-You-Throw (PAYT) program. In PAYT programs, residents pay for waste collection based on how much they throw out. The cost for recycling services is typically included in the fee for solid waste collection services and thus there is no separate charge to residents for recycling. The municipality sells specially-labeled trash bags or tags/stickers at municipal offices, local grocery stores, and gas stations for a calculated cost that covers the unit cost of the bag or sticker, and administrative and disposal costs (typically \$2 - \$4 per bag). Residents are only allowed to dispose of solid waste contained in the designated bags or tagged with approved stickers. There are some concerns with implementing a PAYT program; more specifically, paying for disposal via expensive bags rather than on a tax bill, and the inconvenience of having to purchase special bags at a specific store. While public perception of PAYT would likely be an obstacle, PAYT motivates residents to recycle more, can significantly increase waste diversion, and typically results in the lowest total program cost per household. Bridgeport can discuss whether viability of a PAYT program is worth assessing in the future.

4 RECOMMENDATIONS/SOLUTIONS

The following summarizes the recommendations for the Borough to implement a mandatory recycling ordinance:

- **Recycling Ordinance** - Review, revise, and enact the attached Draft Recycling Ordinance that requires residents and businesses to recycle. This must include a provision for prohibiting the burning of recyclable materials and leaf waste.
- **Enforcement** – Designate a recycling violations coordinator and determine a clear process for handling violations. For example, the recycling violations coordinator can receive complaints of violation, send a notification of violation, levy potential fines, and have the solicitor proceed with the penalty procedure if the problem is not resolved. The Borough should request that waste and recycling haulers inform them of recycling violations, leave containers with unacceptable materials uncollected, tag offending containers, and inform offenders of the reason their recycling was not collected.

- **Education:**
 - **Hauler** – Review and revise the Draft Hauler Notification included in **Appendix F**, and send it to haulers before instituting the recycling ordinance.
 - **Residential and Commercial** – Review, revise, and send residents and businesses the Draft Resident and Business Notification of the recycling and leaf waste requirements included in **Appendix H** before the ordinance takes effect. Update the Borough’s website and Facebook® page, include information in most Borough mailings, and prepare press releases. Plan to send out some form of recycling education at least every 6 months.
 - **Business Recycling Education Program** - Review, revise, and publish the webpage material for business recycling, included in **Appendix I**. Form a business/landlord contact list and contact businesses occasionally to update recycling information. Contact the local business organizations to present new recycling information.
- **Other Considerations** – After implementation of the Recycling Ordinance, consider applying for a Section 902 Grant, implementing a bulk sticker fee program, and evaluating the potential for a PAYT program.

5 CONCLUSION

Ultimately, the Bridgeport Borough Council should choose the recycling program modifications it feels best serve the residents of Bridgeport at this time. The Borough should consult with the Solicitor or legal counsel to determine the appropriateness of these recommendations.

Appendix A

Pennsylvania's Act 101 Recycling Program Requirements

Pennsylvania’s Act 101 Recycling Program Requirements

Description of Recycling Performance Grant Requirements per PADEP

Act 140 of 2006 Impacts on Act 101 Recycling Performance Grants

Municipalities, except for counties, receiving more than \$10,000 in Act 101 Section 904 Recycling Performance Grant funding must meet the following performance requirements.

- Requires, through ordinance, that all residents have waste and recycling service.
- Has an implemented residential recycling program and facilitates a commercial recycling program or participates in a similar county or multi-municipal program.
- Has a residential and business recycling education program.
- 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.
- Has provisions, participates in a county or multi-municipal program or facilitates a private sector program for the recycling of special materials.
- Sponsors a program, facilitates a program or supports an organization to address illegal dumping and/or littering problems.
- Has a person or entity designated as recycling coordinator who is responsible for recycling data collection and reporting recycling program performance in the municipality or municipalities.

If the municipality has not met the above performance requirements, the grant funds awarded shall be expended by the municipality only to meet the performance requirements. If the municipality has met the performance requirements, the grant funds awarded may be expended by the municipality on any expense as determined in the discretion of the municipality. The Department may require budget documents or other expenditure records and may deny funding through this Section if an applicant cannot demonstrate that funds have been expended on eligible activities.

Appendix B

Act 101 Section 902 Recycling Grant Application Guidelines Regarding Proper Management of Recyclables, Including Leaf Waste

Act 101 Section 902 Recycling Grant Application Guidelines Regarding Proper Management of Recyclables, Including Leaf Waste

Assuring compliance with the terms and conditions of Act 101, the rules and regulations promulgated thereunder, other pertinent statutes and the Department's policies and grant guidance are key components of the Department's grant review process. The Act requires certain municipalities ("mandated municipalities") to recycle certain items and provide for the collection and composting of leaf waste. As such, any mandated municipality that allows the materials that are part of its municipal recycling program, including leaf waste, to be managed in a manner other than recycling or composting is in violation of Act 101. The Act also establishes the grant requirements for those communities not mandated to recycle. However, Act 175 states that the Department "shall not prohibit the award of any grant to a county or municipality that has adopted an ordinance allowing the limited burning of yard waste." Since grant funding is awarded on a competitive basis, the following guidelines have been developed to assure that a common understanding exists between the Department and municipalities regarding section 902 grant program requirements.

Mandated municipality requesting a section 902 grant:

1. DEP Regional Planning and Recycling Coordinators will review recycling ordinances and regulations submitted with the grant application to ensure compliance with Act 101, especially section 1501(c) (1)-(5), including commercial, municipal and institutional facilities and community events.
2. It will be assumed that a municipality that does not have an ordinance or regulation that addresses burning is not authorizing the burning of the materials that are part of its recycling program -unless the Department has evidence to the contrary. This evidence could include complaints or other information gathered by the Department.
3. The grant application should confirm that the municipality does not have an ordinance, regulation or other mechanism authorizing the burning of the materials listed in section 1501(c)(1)(i) and (iii)(except for leaf waste) that are part of its recycling program and that the municipality will enforce its recycling ordinances and regulations. Applications from municipalities that have adopted an ordinance allowing for the limited burning of yard waste will be evaluated on a case-by-case basis to ensure that, to the greatest extent practicable, sufficient effort has been made to comply with sections 1501(c)(1)(ii) and (iii) regarding the separation and composting of leaf waste.
4. The regional office should not recommend a grant until the municipality has adopted any necessary modifications to its ordinances or regulations in relation to these guidelines.

Non-mandated municipality requesting a section 902 grant: Programs required by the municipality.

1. DEP Regional Planning and Recycling Coordinators will review recycling ordinances and other mechanisms submitted with the grant application to ensure compliance with Act 101, especially section 902(b)(3).
2. The recycling ordinance or other mechanism need only be applicable to that part(s) of the municipality that is being served by the recycling program.

3. It will be assumed that a municipality that does not have an ordinance or other mechanism that addresses burning is not authorizing the burning of the materials that are part of its recycling program - unless the Department has evidence to the contrary. This evidence could include complaints or other information gathered by the Department.
4. The grant application should confirm that the municipality does not have an ordinance, regulation or other mechanism authorizing the burning of the materials listed in section 1501(c)(1)(i) and (iii) (except for leaf waste) that are part of its recycling program and that the municipality will enforce its recycling ordinances and regulations. Applications from municipalities that have adopted an ordinance allowing for the limited burning of yard waste will be evaluated on a case-by-case basis to ensure that, to the greatest extent practicable, sufficient effort has been made to operate the program according to the intent of sections 1501(c)(1)(ii) and (iii) regarding the separation and composting of leaf waste.
5. The regional office should not recommend a grant until the municipality has adopted any necessary modifications to its ordinances or regulations in relation to these guidelines.

Voluntary Participation Programs:

1. DEP will accept applications from municipalities that have voluntary programs, but funding for a program that allows any material that is part of its recycling program to be burned is unlikely except where the limited burning of yard waste is authorized by an ordinance. Applications from municipalities that have adopted an ordinance allowing for the limited burning of yard waste will be evaluated on a case-by-case basis to ensure that, to the greatest extent practicable, sufficient effort has been made to operate the program according to the intent of sections 1501(c)(1)(ii) and (iii) regarding the separation and composting of leaf waste.
2. It will be assumed that a municipality that does not have an ordinance or other mechanism that addresses burning is not authorizing the burning of the materials that are part of its recycling program - unless the Department has evidence to the contrary. This evidence could include complaints or other information gathered by the Department.
3. The regional office should not recommend a grant until the municipality has adopted any necessary modifications to its ordinances or regulations in relation to these guidelines.

County requesting a section 902 grant:

1. The above guidelines apply if a county requests a section 902 grant on behalf of one or more municipalities within its jurisdiction. The county must include appropriate documentation from each municipality to satisfy the above provisions as they relate to mandated and non-mandated municipalities. It is not necessary that the county adopt its own ordinance to enforce any program for which the municipalities are seeking funding assistance.
2. Counties requesting funds for recycling education only do not need to comply with the requirements of section 1501(c).
3. The Department does not consider counties to be responsible for enforcing municipal recycling ordinances.
4. A county that requests section 902 funding for a material recovery facility (MRF) should ensure that the host municipality does not allow the burning of the materials that are part of the county's recycling program.
5. The regional office should not recommend a grant until the relevant municipalities have adopted any necessary modifications to their ordinances or regulations in relation to these guidelines.

Source: <http://www.dep.pa.gov/Business/Land/Waste/Recycling/Municipal-Resources/FinancialAssistance/Pages/902-Recycling-Grant-Application-Guidelines.aspx>

Appendix C

Pennsylvania's Act 101 Leaf Waste Collection Requirements

Pennsylvania's Act 101 Leaf Waste Collection Requirements

Act 101, Section 1501(c)(1)(ii) and (iii), requires persons in mandated municipalities to separate leaf waste from other municipal waste generated at residential, commercial, municipal and institutional establishments. "Leaf waste" is defined in the Act and its regulations as "Leaves, garden residues, shrubbery and tree trimmings, and similar material, but not including grass clippings." Source separated leaf waste, as with other recyclable material, is to be collected at least once per month as set forth in Act 101 Section 1501(c)(2) and (3) and processed at Pa. DEP-approved composting facilities.

Act 101 mandated municipalities with programs that collect leaves only in the fall are not in compliance with the Act. Mandated municipalities desiring to establish leaf waste collection programs in compliance with Act 101 must, as a minimum:

1. Require by ordinance that leaf waste consisting of leaves, garden residues, shrubbery and tree trimmings, and other similar material are targeted for collection from residences and commercial, municipal and institutional establishments; and
2. Establish a scheduled day, at least once per month, when leaf waste is collected from residences; or
3. Establish a scheduled day, not less than twice per year and preferably in the spring and fall, when leaf waste is collected from residences, and facilitate a drop-off location or other collection alternative approved by Pa. DEP that allows persons in the municipality to deposit leaf waste for the purposes of composting or mulching at least once per month. The leaf waste drop-off location may be located in a neighboring municipality or at a private sector establishment provided that an agreement is in place to utilize that location and the municipality keeps residents and commercial, municipal and institutional establishments informed of the option at least once every six months.
4. Ensure that commercial, institutional and municipal establishments generating leaf waste have collection service.
5. Municipalities are encouraged to manage source separated Christmas trees as leaf waste for processing at Pa. DEP-approved composting facilities.

Appendix D
Draft Recycling Ordinance

NOTE: DRAFT – In NO Way does this draft ordinance constitute legal advice. This draft language is presented to convey a proposed structure for the newly mandated recycling program, and is for discussion and review by the municipality, Solicitor, and those they wish to share it with.

**BOROUGH OF BRIDGEPORT
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO. OF 2018

AN ORDINANCE OF THE BOROUGH OF BRIDGEPORT, COUNTY OF MONTGOMERY, COMMONWEALTH OF PENNSYLVANIA, AMENDING CHAPTER 470 OF THE CODE OF ORDINANCES OF THE BOROUGH OF BRIDGEPORT, ENTITLED “SOLID WASTE,” TO ADD ARTICLE II ENTITLED “MUNICIPAL SOLID WASTE COLLECTION AND RECYCLING PROGRAM” PROVIDING THAT ALL PROPERTY OWNERS, BUSINESSES, AND RESIDENTS SHALL SEPARATE RECYCLABLE MATERIALS FROM TRASH FOR COLLECTION IN THE BOROUGH.

BE IT ORDAINED AND ENACTED, by the Borough Council Of the Borough of Bridgeport as follows:

Section 1: Enactment of Chapter 470, Article II “Municipal Solid Waste Collection and Recycling Program” Article II of Chapter 470 of the Code of Ordinances of Bridgeport Borough, entitled “Municipal Solid Waste Collection and Recycling Program,” is hereby added as follows:

§ 470-201. Purpose.

The Borough of Bridgeport hereby establishes a program for the reduction of the amount of solid waste and the conservation of certain recyclable material, as defined herein, by the separation and collection thereof in the Borough of Bridgeport pursuant to 53 P.S. § 4000.1501, et seq.

§ 470-202. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

BOROUGH

The governmental jurisdiction and legal entity of the Borough of Bridgeport, County of Montgomery, Pennsylvania.

BULK WASTE

All waste materials too large for collection in ordinary containers. Examples of bulk waste include: furniture, appliances, carpeting and similar items. Bulk waste shall not consist of electronics, hazardous waste, or any items that may be packaged and disposed of using regular trash collection procedures.

CANS

Containers comprised of aluminum, tin, steel, or a combination thereof which contain or formerly contained only non-aerosol substances.

CARDBOARD

All corrugated or other cardboard normally used for packing, mailing, shipping, or containerizing goods, merchandise, or other material, but excluding plastic, foam, or wax-coated or soiled cardboard.

CATALOGS

Printed material soliciting products for sale to the reader.

COMMERCIAL

Any establishment engaged in a nonmanufacturing or nonprocessing business including, but not limited to, stores, markets, office buildings, restaurants, shopping centers, and theaters. Multifamily dwellings, town homes, mobile home parks, hotels, motels, mixed-use properties (combined business/residential on a single parcel) and farms which use commercial dumpsters shall be considered commercial establishments. Does not include properties where primary permitted use is residential and accessory use is commercial (i.e., home occupations). Multiple dwelling residential buildings, including residential units over store front commercial business, containing more than three (3) dwelling units, shall be treated as commercial properties

COMMINGLED RECYCLING

Commingling of several recyclable materials into one container for processing and pickup, also referred to as single stream recycling.

COMMUNITY ACTIVITIES

Church, school, civic, service group, municipal functions, and all other such functions conducted within Bridgeport Borough and sponsored privately, which include, but are not limited to, fairs, bazaars, socials, picnics, and organized sporting events that will be attended by 25 or more individuals per day.

COMPOSTING

A process involving the microbial decomposition of organic matter.

CORRUGATED PAPER

Structural paper material with an inner core shaped in rigid parallel furrows and ridges. (i.e., cardboard)

CURBSIDE RECYCLING COLLECTION

The scheduled collection and transportation of recyclable materials placed at the curblineline or other area designated by the collector.

DISPOSAL FACILITY

A State-permitted facility which processes or acts upon solid waste so as to dispose of the material, such as a composting facility, an incinerator, a resource recovery plant, a recycling processing facility, a waste-to-energy facility or a sanitary landfill.

DROPOFF SITES

Those specified, permitted, locations, staffed or unstaffed, where recyclable materials may be taken at specified times.

DWELLING UNIT

An occupied single or multi-family structure having up to, and including, three dwelling units per structure, or each unit in a multi-family structure if the units are individually owned with a separate entrance onto a public or approved private street.

ENFORCEMENT OFFICER

The official designated herein or otherwise charged with the responsibilities of administering this ordinance, or the official authorized representative.

FARM

Any number of continuous lots comprising, in the aggregate, five (5) or more acres under common control by way of ownership or lease, used in whole or in part for agricultural purposes including, without limitation, the growing of crops or the keeping of farm animals, including without limitation, cattle, horses, goats, sheep, alpacas, or maintained in anticipation of farm use as set forth herein.

GLASS CONTAINERS

Bottles and jars made of clear or colored glass. Expressly excluded are noncontainer glass, mirrors, automobile glass, dishware, plate glass, crystal, light bulbs and porcelain and ceramic products.

HIGH-GRADE OFFICE PAPER

All white paper, bond paper, and computer paper used in commercial, industrial, institutional and municipal establishments.

INDUSTRIAL

Any establishment engaging in manufacturing or processing including, but not limited, to factories, foundries, mills, processing plants and refineries.

INSTITUTIONAL

Any establishment engaged in service to persons including, but not limited to, hospitals, nursing homes, orphanages, schools and universities.

JUNK MAIL/ENVELOPES

Mail received but not for a specific purpose and the container that mail is mailed in.

LEAD ACID BATTERIES

Shall include, but not be limited to, automotive, truck and industrial batteries that contain lead.

LEAF WASTE

Leaves from trees, bushes, and other plants, garden residue, chipped shrubbery and tree trimmings, but not including grass clippings or branches.

MAGAZINES AND CATALOGS

Glossy publications including catalogs.

MUNICIPAL SOLID WASTE

Any garbage, refuse, industrial lunchroom, or office waste and any other material including solid waste, liquid, semisolid or contained gaseous materials resulting from the operation of residential,

municipal, commercial, industrial, or institutional establishments and from community activities, and any sludge not meeting the definition of residual or hazardous waste in the Solid Waste Management Act from a municipal, commercial, industrial, or institutional water supply treatment plant, wastewater treatment plant, or air pollution control facilities (Pennsylvania Act 101, Section 103), but excluding human body waste, debris from household renovations, whether interior or exterior, dirt, rock, lead pipes, leaf waste, hazardous wastes, and recyclable items as defined herein.

MUNICIPAL WASTE COLLECTOR

Any person collecting or transporting municipal waste or recyclable materials for owners or occupants of property in Bridgeport Borough, and any business or institution within Bridgeport Borough which generates municipal waste or recyclable materials and uses its own employees and equipment for the collection or transportation of municipal waste or recyclable materials. Municipal waste collectors must be authorized by the State of Pennsylvania.

MUNICIPALITY

The Borough of Bridgeport.

NEWSPAPER

All paper of the type commonly referred to as newsprint and distributed at fixed intervals having printed thereon news and opinions, containing advertisements and other matters of public interest including glossy inserts. Expressly excluded is junk mail included with newspapers.

PAPER (ANY GRADE)

Printing and writing papers not considered newspaper, including, without limitation, printed white ledger and computer print and notebook paper.

PAPERBOARD

A heavier and thicker paper used as cereal boxes and beer and soda carriers.

PERSON

An individual, partnership, corporation, association, institution, cooperative enterprise, municipal authority, federal government or agency, state institution or agency or any other legal entity whatsoever which is recognized by law as the subject of rights and duties.

PLASTIC

Bottle, jar, and food containers only (i.e., milk, water, soda, detergent, shampoo) labeled with a SPI Code Numbers 1, 2, 3, and 5, excluding plastic bags and plastic film. Excluded are motor oil bottles, flowers, pens, plastic wrap and Styrofoam.

RECYCLABLE MATERIALS

Source-separated recyclable materials, including materials listed in Section 1501 of Act 101 and materials identified by the Borough to be recycled. Any materials established by the Borough Council from time to time by resolution, which may include: cans, cardboard, catalogs, glass bottles/jars, junk mail/envelopes, magazines, newspaper, paper (any grade), paperboard, plastic bottles, telephone/soft-covered books, leaf waste and/or yard waste and any other materials which the Borough Council may deem by resolution to be recyclable.

RECYCLING

Any process by which material that would otherwise become solid waste is collected, separated, or processed and returned to the economic mainstream in the form of raw materials or products.

RECYCLING COLLECTION SERVICES

Those services to be performed as follows:

- A. The collection of recyclable materials from locations within the municipality.
- B. The delivery of recyclable materials to a recycling facility.

RECYCLING CONTAINERS

A container designated by the property owner or resident for the storage of recyclable materials.

RECYCLING DROPOFF

Any facility designed and operated solely for the receiving and storing of materials that are to be returned to the economic mainstream instead of becoming part of the solid waste stream.

RESIDENTIAL

See "dwelling unit."

SOLID WASTE

Waste, including but not limited to municipal, commercial, institutional, or industrial waste.

SOURCE SEPARATION

The separation of recyclable materials from municipal waste at the points of origin for the purpose of recycling.

TELEPHONE/SOFT-COVER BOOKS

Printed material with non-hardbound covers used for reading or listing of phone numbers.

YARD WASTE

Tree limbs and branches may not exceed four inches in diameter or fourfeet in length; the term does not include leaves or grass clippings.

§ 470-203. Authority to establish regulations by resolution.

1. The Borough Council shall have the authority to adopt, modify, and amend recycling regulations from time to time by resolution, including, without limitation, regulations regarding which recyclable materials must be recycled and regulations requiring residents to source separate recyclable materials and/or place recyclable materials for collection through single-stream recycling. Any regulations so adopted by the Borough Council shall be published at least one time in a newspaper of general circulation in the Borough and posted on the Borough's website. Violations of any such regulations shall be deemed to be violations of this article and subject to the same penalties hereunder.
2. There is hereby established, starting upon enactment of this Ordinance, and until modified or amended by resolution as permitted herein, a program for the mandatory source-separation and collection of recyclable materials from municipal waste, as set forth herein, from residential, commercial, institutional, and municipal premises within the Municipality. The occupant or owner of a home, apartment, or other residential establishment shall separate recyclable

materials, leaf waste, and yard waste from other municipal solid waste. In addition, commercial, industrial, institutional, and municipal establishments and community events shall separate the materials described in this Section from other municipal solid waste.

3. Items to be recycled by dwelling units, mobile home parks, commercial, industrial, institutional, municipal facilities, and community activities shall be clean and free of residue to the extent possible, and shall include, at a minimum:
 - A. Glass containers (excluding mirrors, window glass, and crystal)
 - B. Cans: Aluminum, tin, bimetallic, steel
 - C. Plastics: No. 1, 2, 3, and 5
 - D. Paper: newspaper, books, phone books, catalogs, magazines, junk mail, paper, envelopes, high grade office paper
 - E. Cardboard boxes and containers: Corrugated and paperboard (excluding Styrofoam, take out and pizza boxes, and containers with food residue)

§ 470-204. Residential property.

1. Except as otherwise herein provided, all persons owning or occupying residential property in the Borough of Bridgeport shall recycle all recyclable materials (as determined by the Council by resolution from time to time) generated at their homes, apartments, and other residential establishments in the Borough of Bridgeport and place such materials at locations designated by the Borough Council for collection by the Borough of Bridgeport or its agents, servants, or contractors.
2. Collections by the Borough of Bridgeport of recyclable materials shall be made in accordance with a schedule of areas and dates to be publicly advertised by the Borough of Bridgeport.
3. All recyclable materials placed by residents for collection pursuant to the program established under this article shall be prepared for collection in a secure manner so as to prevent such recyclable materials from being blown about or otherwise scattered upon the streets or private property within the Borough. When placed at the curb for collection in accordance with the provisions of this Ordinance, recyclable materials shall be placed in separate, reusable containers, not to exceed 65-gallons, that clearly identify the contents as recyclables. No person shall place municipal solid waste in containers designated for the separation and collection of recyclables. No person shall place recyclable materials in containers used for the separation and collection of municipal solid waste.
4. Containers for municipal solid waste, recyclable materials, bulk waste, and leaf waste set out for collection shall be placed at the street curb or at the end of the driveway of the property from which collected, but in no case within the paved cartway of the street. It is the responsibility of the individual residents to place their containers at curbside in time for collection by the municipal waste collector. Containers shall not be placed in a location that obstructs a public sidewalk or that impedes clear vision for motorists traveling on the adjacent street or at intersections. Containers shall be placed at the curb no earlier than 4:00 p.m. on the day prior to the collection day. Containers shall be taken inside or removed from the curbside no later than 11:59 p.m. of the collection day.

5. Multifamily residential properties with no more than three units shall be served by the collection system operated by the Borough of Bridgeport.
6. The owners and occupiers of multifamily housing properties with more than three units will not be served by the collection system operated by the Borough of Bridgeport but such owners must establish a system for source separation, collection, transportation, and recycling of the materials designated by this article at each property within 30 days of the date of enactment of this Ordinance. Arrangement for collection of designated recyclables for disposition herein shall be the responsibility of the owner of the property in which the recyclables were generated and/or the person (occupier or property manager) contractually obligated to the owner to arrange for collection and disposal of its solid waste and recycling. Such arrangements may include, without limitation, direct marketing of recyclables, delivery to a drop-off, contracts with solid waste collectors/haulers for separate or commingled collection of any or all designated recyclables, or contracts with other persons for separate or commingled collection of any or all designated recyclables. The owner of a multifamily housing property containing more than three units shall provide an appropriate number of recycling containers at a sufficient number of dropoff points to accommodate the amount of recycling generated by the property. The Borough reserves the right to require the owner to provide additional containers if the number of containers in place is not adequate. The owner of a business or multifamily housing property containing more than three units must provide the Borough of Bridgeport, before January 30 of each year, a written report stating the name of the hauling contractor (if the property owner used one), the total weight of each kind of material recycled during the previous calendar year, and any other relevant information required by the Borough of Bridgeport.
7. All owners/agents of multifamily residential properties (regardless of the number of units) in the Borough shall be required to provide to tenants notice of the Borough's mandatory recycling program and to provide such notice, in writing, either by including language in the lease notifying the tenant of the recycling obligation at time of tenant change or lease renewal with the tenant, or by prominently posting written notice of the recycling obligation in the common area of the building. This written notice shall be kept accessible for inspection by the Borough official, if requested.

§ 470-205. Commercial, industrial, and institutional establishments and community activities.

1. Except as specifically provided in this article, all persons occupying commercial, industrial, or institutional establishments or conducting community activities in the Borough of Bridgeport shall be subject to the same duties and requirements of this article as owners and occupiers of multifamily residential properties containing more than three units.
2. The Borough of Bridgeport shall not be responsible for the collection, transportation, processing, or marketing of materials or contracting for the collection, transportation, processing, or marketing of materials from commercial, industrial, or institutional establishments or from community activities; provided, however, that the owners or occupiers of commercial office buildings may request to have the Borough collect recycling materials from such properties on the same basis as residential properties for which the Borough collects recycling materials for an annual fee set by the Borough Council by

resolution from time to time. The Borough may elect to reject any such request if the Borough, in its sole discretion, determines that the amount of recyclable materials generated from such commercial office building is excessive or burdensome to the Borough.

3. All persons owning or occupying commercial, industrial, or institutional establishments or conducting community activities within the Borough of Bridgeport and all other persons not served by the collection system operated by the Borough of Bridgeport must establish a system for source separation, collection, and transportation of designated recyclables at each property within 30 days of the date of enactment of this Ordinance. Arrangement for collection of designated recyclables for disposition herein shall be the responsibility of the person who generated the recyclables and/or the person contractually obligated to the generator to arrange for collection and disposal of its solid waste. Such arrangements may include, without limitation, direct marketing of recyclables, delivery to a drop-off, contracts with solid waste collectors/haulers for separate or commingled collection of any or all designated recyclables, or contracts with other persons for separate or commingled collection of any or all designated recyclables. The system must include suitable containers for collecting and sorting materials at an easily accessible location and written instructions to the occupants concerning the use and availability of the system. All persons not served by the collection system operated by the Borough of Bridgeport must provide the Borough of Bridgeport, before January 30 of each year, a written report stating the name of the hauling contractor (if the property owner used one), the total weight of each kind of material recycled during the previous calendar year, and any other relevant information required by the Borough of Bridgeport.
4. All community activities or events sponsored within the Municipality shall separate aluminum, glass, plastics, and corrugated cardboard, store materials until collected by a registered municipal waste collector, and provide written documentation before January 30th of the following year, to the Municipality of the total weight of each kind of material recycled.
5. All municipal solid waste generated by persons throughout the Municipality shall be collected by a state-authorized municipal waste collector.
6. Commercial, industrial and institutional establishments may be required to provide proof of a contract with a registered hauler or proof of proper self-disposal at a State-permitted disposal facility
7. Containers for municipal solid waste, recyclable materials, bulk waste and yard waste set out for collection shall be placed at the street curb or at the end of the driveway of the property from which collected, but in no case within the paved cartway of the street. It is the responsibility of the individual residents to place their containers at curbside in time for collection by the municipal waste collector. Containers shall not be placed in a location which obstructs a public sidewalk or which impedes clear vision for motorists traveling on the adjacent street or at intersections. Containers shall be taken inside or removed from the curbside no later than 12:00 midnight of the collection day.
8. Bulk containers (such as dumpsters) shall not be permitted to overflow or to have municipal waste strewn or left about them on the ground. A violation of this provision shall be deemed

a violation of this Part by the person on whose property the bulk container is located, if it is located on private property.

§ 470-206. Leaves.

1. Nothing herein shall prevent any person from utilizing leaves for compost, mulch, or other agricultural, horticultural, silvicultural, gardening, or landscaping purpose.
2. The occupant or owner of a home, apartment, or other residential establishment shall separate leaf and yard waste from other municipal solid waste. No leaf waste or yard waste shall be commingled with other waste collected by the Borough or its agents, servants, or contractors. The Borough, under regulations hereafter established, will collect leaf waste source-separated by the owners or occupiers of properties served by the Borough's trash collection program.
3. Residents have the option of disposing of leaf and yard waste by self-hauling to a State-permitted compost facility, such as the Barnside Farm Compost Facility in Schwenksville, PA or Soil Rich Ltd. In Trooper, PA.
4. All persons owning or occupying commercial, industrial, institutional, and/or municipal establishments within the Borough shall collect and separate leaf and yard waste in accordance with this Part and store the leaf and yard waste until collected and recycled. All persons who are not served by the Borough's trash collection program shall arrange for the separate disposal and processing of leaf and yard waste at a composting facility or an agricultural, horticultural, silvicultural, or other facility that processes or utilizes leaf waste and/or yard waste for compost, mulch, or other beneficial uses.
5. Owners, landlords and agents of owners or landlords will be responsible for compliance with the collection of leaf waste and yard waste in accordance with this Part.

§ 470-207. Hazardous Waste, Batteries, and Electronic Waste.

1. It shall be unlawful for any person to place hazardous or residual waste, as defined in Act 101, in mixed municipal solid waste or to discard or otherwise dispose of hazardous or residual waste except by disposition in compliance with applicable State and Federal laws and regulations. For specific material recycling and disposal requirements, refer to Montgomery County or Pennsylvania Department of Environmental Protection guidelines.
2. It shall be unlawful for any person to place a used lead acid battery in mixed municipal solid waste or to discard or otherwise dispose of a lead acid battery except by delivery to an automotive battery retailer or wholesaler, to a secondary lead smelter permitted by the Environmental Protection Agency, or to a collection or recycling facility authorized under the laws of this Commonwealth.
3. In accordance with Act 108, no person or company may dispose of a Covered Device or any of its components with their municipal solid waste. This type of waste requires special collection and disposal arrangements. Information may be obtained from the County. Covered Devices include:

- a. Desktop computers, laptop computers, computer monitors, and associated central processing units (CPUs);
 - b. Computer peripherals (keyboards, mouse, printers, scanners, and faxes);
 - c. Radios, stereo equipment, and speakers;
 - d. Televisions and television screens; and
 - e. Associated cables, batteries, and battery backups.
4. Companies recycling electronics in Pennsylvania must have R2 or similar certification that assures the public that any information contained in recycled devices is protected until the time the device is destroyed, and that human health and the environment are protected at all steps during the recycling process, whether the recycling occurs in the United States or abroad.
5. Large and small appliances containing Freon may not be combined with municipal waste. These appliances contain CFCs and Freon that must be removed by a certified professional, and these should be taken to a Freon-certified handler. Freon-containing appliances may include refrigerators, freezers, air conditioning units, dehumidifiers, water coolers, and mini-fridges.

§ 470-208. Unlawful activities; public nuisance. Outdoor burning, and illegal dumping.

1. It shall be unlawful for:
- a. Any person other than the municipality, or another person authorized by the municipality, to collect any designated recyclable that has been placed for collection pursuant to this article.
 - b. Any person to violate, or to cause or to assist in the violation of, any provision of this article.
 - c. Any person to hinder, to obstruct, to prevent, or to interfere with this municipality or its personnel in the performance of any duty under this article or in the enforcement of this article.
 - d. Any person to burn or cause to be burned outdoors for purposes of disposal any municipal waste, leaf waste, or recyclable materials that are required to be separated and collected pursuant to this Ordinance.
 - e. Any person to store, process or dispose of any regulated municipal waste or designated recyclable material except at a facility or in preparation for collection by a permitted collector as provided herein. Notwithstanding the foregoing, leaf waste and yard waste may be composted.

- f. Any person to accumulate, dump, or deposit trash, recyclables, garbage, ashes, rubbish, and/or other refuse on any private or public property or grounds within the Borough.
 - g. Any person on whose property a bulk container is located to allow bulk containers (such as dumpsters) to overflow or have municipal waste or recyclables strewn or left about them on the ground.
2. All unlawful conduct set forth in this section is hereby prohibited and shall constitute a public nuisance.

§ 470-209. Refusal to collect solid waste contaminated by designated recyclable materials.

This municipality or any other person collecting solid waste generated within this municipality may refuse to collect solid waste from any person who has clearly failed to source-separate recyclables designated under an applicable section of this article. Similarly, this municipality or any other person collecting recyclables generated within this municipality may refuse to collect recyclables from any person who has contaminated recyclables with materials not designated as acceptable recyclable material under an applicable section of this article.

§ 470-210. Existing contracts.

- 1. Nothing contained in this article shall be construed to interfere with or in any way modify the provisions of any existing contract that is in force in the municipality on the effective date of this article.
- 2. No renewal of any existing contract upon the expiration of the original term thereof and no new contract for the collection, transportation, processing or purchase of solid waste or recyclables shall be entered into after the effective date of this article, unless such renewal or such contract shall conform to the requirements of this article.

§ 470-211. Authorized Recyclables Collection.

- 1. With the exception of those persons who directly deliver (selfhaul) their municipal waste and/or recyclables, it shall be unlawful for any municipal waste collector to collect and/or transport municipal waste or recyclable materials from any other person’s property within the municipality without being duly authorized by the Commonwealth of Pennsylvania. Any and each such collection in violation hereof from each location shall constitute a separate and distinct offense, punishable as hereinafter provided.
- 2. Any municipal waste collector operating within the municipality shall provide for the collection of municipal solid waste, bulk waste, recyclable materials, and leaf waste, including annual written reports to the municipality of the materials collected. Such reports shall include separate tonnages of each type of recyclable material, including leaf waste, collected in the municipality for the past calendar year. Residential and commercial tonnages shall be reported separately and residue percentage shall be noted. A representative of the authorized collector shall sign the reports. Such reports shall be provided to the Municipality within 30 days following the end of the calendar year.

3. Any municipal waste collector operating within the municipality shall provide the following information to the Municipality.
 - a. The name of the municipal waste collector, the name of a contact person, an email address, the business address, fax, and telephone number of the business office and a 24-hour emergency telephone number to receive calls from persons in the Municipality who receive collection service.
 - b. An annual written recycling report with collected material tonnages, as outlined in §470-211.2
 - c. Such other information as the Municipality, in furtherance of this Ordinance, shall deem appropriate and necessary.
4. Any municipal waste collector operating within the Municipality shall issue warning notices of violations to persons failing to comply with procedures for the separation, storage, and collection of bulk waste, recyclable materials, and leaf waste, and provide a copy of such warning to the Municipality.

§470-212. Municipal Waste Collector Prohibitions.

It shall be unlawful and a violation of this Part for any municipal waste collector to:

1. Collect or transport any municipal solid waste, bulk waste, recyclable materials, leaf waste, or yard waste from any person failing to source-separate said materials in violation of this Ordinance.
2. Commingle recyclables, leaf waste, or yard waste collected within the Municipality with municipal solid waste.
3. Fail to provide for the proper disposition of any municipal solid waste, bulk waste, recyclable materials, leaf waste, or yard waste collected or transported within the Municipality.
4. Commence the collection of municipal waste, bulk waste, recyclable materials, and leaf waste for any property in the Municipality prior to 7:00 a.m. or after 8:00 p.m.
5. Load or operate any vehicle within the Municipality or transport municipal solid waste, bulk waste, recyclable materials, leaf waste, or yard waste within the Municipality in such a manner as to allow municipal solid waste, bulk waste, recyclable materials, leaf waste, or yard waste to fall upon public roads or upon land abutting the public roads in the Municipality.
6. Fail to replace the containers with their lids or covers in place at the location of collection in an orderly manner and off of the roadway.

7. Fail to accurately report the residential and commercial tonnages of recyclable materials collected in the Municipality in accordance with this Part.
8. Otherwise create a public nuisance.

§ 470-213. Violations and penalties.

1. Any person who violates any of the provisions of this article shall, upon conviction thereof before a Magisterial District Judge, be fined not more than \$1,000, plus costs of prosecution, including reasonable attorney’s fees, incurred by the municipality and, in default of payment of such fine and costs be imprisoned for not more than 30 days. Each day that a violation of each Part continues, or each Section of this Part, which shall be found to have been violated continues in effect shall be deemed a separate violation. No judgment shall be imposed until the District Justice imposes the date of determination of a violation. If the defendant neither pays nor timely appeals the judgment, the municipality may enforce the judgment pursuant to the applicable rules of civil procedure.
2. Private haulers that violate any provision of this Part may be reported to the Pennsylvania Department of Environmental Protection by the municipality and may be subject to the revocation of the Commonwealth’s authorization to transport municipal waste, as described in the amended Waste Transportation Safety Program, 27 Pa.C.S.A. §6201 et seq.

§ 470-214. Enforcement.

The Code Enforcement Official, the Property Maintenance Officers, Borough police officers, and other appointed Borough officials are hereby individually and severally empowered to enforce the provisions of this article. An inspection may consist of sorting through containers and opening of solid waste bags to detect, by sound or sight, the presence of any recyclable material. An inspection may also consist of sorting through containers and opening of recyclable material containers to detect, by sound or sight, the presence of any solid waste.

§ 470-215. Injunctions; concurrent remedies.

1. In addition to any other remedy provided in this article, the Borough of Bridgeport may institute a suit in equity where unlawful conduct or public nuisance exists as defined in this article for an injunction to restrain a violation of this article. In addition to an injunction, the court may impose penalties as authorized by other Chapters hereof.
2. The penalties and remedies prescribed by this article shall be deemed concurrent. The existence or exercise of any remedy shall not prevent the Borough of Bridgeport from exercising any other remedy provided by this article or otherwise provided at law or equity.

§ 470-216. Construal of provisions.

The terms and provisions of this article are to be liberally construed so as best to achieve and to effectuate the goals and purposes hereof.

Section 2: Severability: The provisions of this Ordinance are severable, and if any sections, sentences, clauses, parts, or provisions thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the Court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Borough Council that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional, sections, sentences, clauses, parts, or provisions had not been included therein.

Section 3: Repealer: Any ordinance and or parts of ordinances that are inconsistent herewith are hereby repealed.

Section 4: Immediate Effect: This Ordinance shall take effect and be in force from and after its approval of this amendment.

ENACTED AND ORDAINED, by the Borough of Bridgeport, Montgomery County,
Pennsylvania, this day of , 2018.

BOROUGH OF BRIDGEPORT

John Pizza,
Council President

APPROVED this ____ day of _____, A.D., 2018

Thaddeus J. Pruskowski
Mayor of Bridgeport Borough

Attest: _____
Keith Truman,
Borough Manager

Appendix E
Example Notice of Violation

EXAMPLE NOTICE OF VIOLATION

Bridgeport Borough Letterhead
(Address)
(City, State, Zip)
(Phone)
(Fax)

(Date)

Attn: (Name)
(Address)
(City, State, Zip)

RE: FIRST AND FINAL NOTICE OF RECYCLING PROGRAM VIOLATION

Dear (Name):

All residents and businesses, including multi---family dwellings and apartments, in Bridgeport Borough are required by Ordinance #___ to separate recyclables and leaf waste from the municipal waste stream. The burning of recyclables and leaves is prohibited. You have been found in violation of Ordinance # ___ due to

A copy of the Ordinance is enclosed. Please note the applicable fines, fees, and penalties. Each day that a person is in violation of the ordinance constitutes a separate offense. Please remedy the aforementioned problem(s) within 10 calendar days.

We appreciate your cooperation with Bridgeport’s mandated recycling and leaf collection program. If you have any questions, please contact the Borough at (610) 272---1811 or MJDickinson@BridgeportBorough.org.

Sincerely,

Bridgeport Borough
Recycling Violations Coordinator

Enc. (1)

Appendix F
Draft Hauler Notification

EXAMPLE HAULER NOTIFICATION

Bridgeport Borough Letterhead
(Address)
(City, State, Zip)
(Phone)
(Fax)

(Date)
Attn: (Hauler Contact)
(Hauler Company Name)
(Address)
(City, State, Zip)

Dear (Hauler Contact):

Bridgeport Borough recently adopted a Recycling Ordinance effective beginning , mandating that residents and businesses in Bridgeport Borough participate in a recycling and leaf waste collection program. The Borough contracts with one hauler for residential recycling collection. Businesses and apartments with more than 3 units are required to obtain recycling collection services independently.

We have enclosed a copy of the ordinance, and below are a few key points to note.

- **Recycling Collection:** Haulers must collect recyclables including, at a minimum, glass, plastics #1, 2, 3, and 5, aluminum and bimetallic cans, mixed paper, and cardboard, from businesses. Please inform your customers of the proper way to prepare recyclables for pick up.
- **Leaf Waste Collection:** Haulers must collect source-separated leaf waste at least once in the spring and once in the fall and deliver them to a state-approved composting facility. Please inform your customers of the proper way to prepare leaf waste.
- **Hauler Reporting:** Haulers operating in Bridgeport Borough must report the collected recycling and leaf tonnage to the Borough each calendar year.
- **Education:** The Borough will implement a recycling education campaign with the adoption of the Recycling Ordinance. We hope to work in conjunction with haulers to provide continuing recycling education to remind businesses of the proper recycling methods and leaf-pickup schedules. Haulers can include recycling and leaf pickup information with customer bills or as separate literature provided to customers.

- **Enforcement:** The Borough will establish a system to handle recycling and waste violations and complaints of which we are made aware. We hope haulers will provide curbside feedback to customers in the form of a tag or sticker left on containers if the hauler notices inappropriate material in the can (e.g., trash in the recycling can, recyclables in the trash can, leaf waste in the trash can).

We appreciate your cooperation as Bridgeport establishes a mandated recycling and leaf collection program. If you have any questions, please contact the Borough at (610) 272-1811 or MDickinson@BridgeportBorough.org.

Sincerely,

Bridgeport Borough Recycling Coordinator

Enc. (1)

Appendix G

Pennsylvania's Act 101 Recycling Education Requirement

Recycling Education Requirements

Requirements for Public Education, as per Title 25 PA Code 272.423.

- (a) A municipality subject to this subchapter shall establish a comprehensive and sustained public information and education program concerning recycling program features and requirements. As part of this program, a municipality shall, at least 30 days prior to the initiation of the recycling program and at least once every 6 months thereafter, notify persons occupying residential, commercial, institutional and municipal premises within its boundaries of the requirements of the ordinance. This notice shall include an explanation of how the system will operate, the dates of collection, and responsibilities of persons within the municipality and incentives and penalties.

- (b) The governing body of a municipality may place an advertisement in a newspaper circulating in the municipality, post a notice in a public place where public notices are customarily posted, including a notice with other official notifications periodically mailed to residential taxpayers, or utilize a combination of the foregoing.

Appendix H

Example Resident and Business Notification

EXAMPLE RESIDENT AND BUSINESS NOTIFICATION

ATTN: Bridgeport Borough Residents and Businesses

RE: New Recycling and Leaf Waste Ordinance

Bridgeport is enacting a Recycling Ordinance!

Effective ____, Bridgeport Borough will enact Recycling Ordinance #_____, requiring:

- All residents and businesses must separate **recyclables**, including glass, plastics #1, 2, 3, and 5, aluminum and bimetallic cans, paper, and cardboard, from their solid waste.
- All residents and businesses must separate **leaf waste**, including leaves from trees, bushes, and other plants, garden residue, chipped shrubbery and tree trimmings, but not including grass clippings, from their solid waste, and either compost leaf waste on their property, set leaves out during municipal leaf pickup days, self-haul the leaf waste to a state-approved composting facility (such as the Heuser Park Compost Site in Upper Merion Township) or have a hauler collect the leaf waste, to be delivered to a state-approved composting facility.
- All residents and businesses are **prohibited from burning** recyclables and leaf waste, or including these items with their other solid waste (trash).

RESIDENTS: Residents in single-family homes or apartments with three units or fewer will be served by the Borough’s weekly curbside recycling and semi-annual leaf collection programs. See BoroughofBridgeport.com for more information!

BUSINESSES AND LANDLORDS: Businesses and apartments with four or more units are required to contract with a hauler for the collection of the listed recyclable materials and leaves. Bridgeport is committed to aiding businesses and landlords with this transition! The Borough has posted information at BoroughofBridgeport.com/Business-Landlord-Recycling.

We realize these new rules represent a change for many of our residents and businesses. We are committed to supporting you through this transition, as we all make an effort to comply with the new Ordinance. We appreciate your cooperation.

Please contact the Borough with recycling questions, problems, or to report illegal dumping or littering. For a copy of the new Ordinance, and more recycling information, please visit our website BoroughofBridgeport.com/Trash-and-Recycling. We are all responsible for making Bridgeport cleaner and greener!

Sincerely,

Bridgeport Borough Administration

KTruman@BridgeportBorough.org

(610) 272-1811

BoroughofBridgeport.com

Like us on Facebook: Bridgeport Borough

Appendix I

Recycling Webpage Material, Recycling Reminder Poster,
Acceptable Materials Poster

Recycling and Solid Waste Information

Join Bridgeport Borough as we Invest in Our Future!

Recycling is now mandatory in Bridgeport for all residents and businesses per Ordinance # [link].

By law, trash cannot be placed in the recycling, and recycling cannot be placed in the trash.

Bridgeport Borough offers year-round curbside weekly trash and recycling collection to our residents. Trash and recycling that is not set out correctly may not be collected. **Your cooperation in the recycling program helps to keep recycling costs down, while saving money on trash disposal and helping the environment... and it's the law!** Click on links below for more information. If you have any questions, please call the Borough office at 610-272-1811.

Residential Trash Collection

[Schedule / Holidays](#)

[Bulk Items](#)

Residential Recycling Collection

[Schedule](#)

[Acceptable Items](#)

Yard Waste

[Leaf Collection](#)

[Yard Waste Drop-Off](#)

[Christmas Tree Collection](#)

[Composting](#)

Commercial Recycling

[Commercial Requirements](#)

[Business Recycling Toolkit](#)

[Recycling Hauler Contacts](#)

Contacts/ Links

Trash Collection

[Schedule / Holidays](#)

Click for a Link to the **Trash/Recycling Collection Schedule**.

Trash is privately contracted by the Borough of Bridgeport. Residential properties of less than four units may utilize this service. Residential properties with more than four units can contact the Borough to determine eligibility for collection. The service is currently provided by J.P. Mascaro & Sons.

Residential pick up is provided one day a week along with recycling every Friday. Trash shall be placed at the curb no earlier than 4:00pm the day prior to the pick day.

Bulk Items

Bulk pick up is scheduled on the last Friday of the month. One bulk item shall be picked up on each bulk day.

White items such as washers and dryers require a call to Mascaro 610-272-2765 to schedule a pick up. Items which contain gas such as refrigerators and air conditioners require special disposal and an additional charge may apply. Bulk pick up is not an opportunity to dispose of multiple items accumulated over a lifetime when you are moving.

If you wish to dispose of more than one item, please call J.P. Mascaro at 610-272-2765 and they will arrange a special pick up for you. Placing multiple bulk items at the curb is prohibited without an agreement with Mascaro. This restriction will be strictly enforced and may subject the property owner to fines.

Recycling Collection

Schedule

Residential Recycling is collected every Friday.

[Click for a Link to the Trash/Recycling Collection Schedule.](#)

Acceptable Items

	YES (Mixed in Your Recycling Can, Emptied and Clean or Rinsed)	NO (Not Accepted in Curbside Recycling Can)
PAPER & CARDBOARD 	Office and Computer Paper Newspaper Magazines Phone Books, Paperback Books Junk Mail, Flyers, Cards Paperboard Boxes (Cereal, etc.) Corrugated Cardboard (Flattened)	Food-Contaminated Papergoods, Polycoated Cardboard (Ice Cream, Milk & Juice Cartons) Waxed Cardboard and Waxed Paper Antiseptic Containers (Soup and Soy, Rice, or Almond Milk, etc.) Paper Coffee Cups
PLASTIC 	Plastics with Recycling Symbol 1, 2, 3, and 5 Plastic Trays Yogurt Cups Plastic Bottles and Jugs	Plastics with Recycling Symbol 4, 6, and 7 Plastic Bags (return to grocery store) Plastic Lids and Caps Styrofoam Syringes Large Outdoor Toys
GLASS	Glass Bottles and Jars (All Colors) Separate Lids from Jars and Bottles	Pyrex and Ovenware Windows and Windshields



Drinking Glasses and Crystal
Lightbulbs, Ceramics, and Mirrors

METAL



Steel Cans
Tin Cans
Aluminum Cans
Steel Bottle Caps
Metal Jar Lids

Scrap Metal

**ELECTRONICS, HAZARDOUS
WASTE, & MORE**



As of 2013, PA State Law **bans** disposal of electronic waste with municipal waste. Best Buy and Staples offer some e-waste recycling. Please refer to the www.MontgomeryCountyRecycles.org website for disposal of electronics, hazardous waste, tires, construction waste, appliances, and other materials.

YARD WASTE



Leaves and yard waste must be separated from municipal trash. Leaves are collected curbside by Bridgeport Borough in the spring and fall, and Christmas trees are collected in January, please see the schedule. Leaves and yard waste may be dropped off at the Heuser Park Compost Site on Beidler Road in Upper Merion Township.

Yard Waste

Leaf Collection

Leaves are collected curbside twice per year, typically in the spring and fall. Watch for communications from the Borough for exact leaf collection times. Leaf collection includes only leaves. Grass clippings and branches are NOT to be included.

Yard Waste

Yard Waste may be dropped off at the Heuser Park Compost Facility on Beidler Road in Upper Merion Township, or at the Barnside Farm Compost Facility in Schwenksville (fees may apply). Please refer to the yard waste guidelines of each facility.

<https://www.umtownship.org/departments/public-works/parks-shade-tree/compost-site/>

<http://www.barnsidefarm.com/>

Christmas Tree Collection

Christmas trees are collected curbside one day in January. Watch for communications from the Borough for exact date. Place your trees where you would normally place recycling for pickup, with ornaments and tinsel removed.

Composting

Backyard Composting is an easy way to reduce waste, and reuse plant materials. Composting requires a space of about 4' x 4'. Use a compost bin, or homemade enclosure of wood or fence, and pile leaves, grass clippings, and vegetable and fruit peels (no meats, bones, oils, dairy, or trash) in the enclosure. Turn the compost pile periodically or add red wiggler worms to aid in the decomposition process. Decomposition can take up to 2-3 years, but the finished compost product is a great addition to your garden beds.

Commercial Recycling

Commercial Requirements

Businesses in Bridgeport Borough are responsible for contracting privately with a waste and recycling hauler.

By Borough ordinance you must provide a recycling program for your employees/tenants. The Borough's curbside recycling service is available for single-family homes and apartments with 3 or fewer units. By request, others with limited recycling needs may pay for recycling service from the Borough at the Borough's discretion. For businesses and owners of multifamily housing properties containing 4 or more units, here are some ways to start a recycling program:

- 1) Contact your trash hauler and request recycling pickup
OR contact multiple haulers to get quotes on trash and recycling pickup services, see a list of haulers below
- 2) Place recycling receptacle(s) next to your trash receptacle(s)
- 3) Place recycling receptacle(s) near resident/employee mailboxes and printers for easy recycling of junk mail, telephone books, and other paper
- 4) Clearly identify or label which receptacles are for recycling and which are for trash
- 5) Inform your residents/employees about the recycling program. Provide them with a Recycling Requirements Notice; see Toolkit below
- 6) Place a Recycling Reminder Poster in common areas; see Toolkit below
- 7) Place an Acceptable Materials Poster (if applicable) at recycling receptacles at your facility/rental; see Toolkit below
- 8) Include a recycling requirement in your lease agreement, and provide each new renter with an Acceptable Materials Poster (if applicable) during lease agreement signing; see Toolkit below

9) Continue recycling education efforts.

Business Recycling Toolkit

- Recycling Requirements Notice ([link](#))
- Recycling Reminder Poster ([link](#))
- Acceptable Materials Poster ([link](#))
- Recycling Haulers List (see below)

Recycling Hauler Contacts

(this list may be incomplete and does not constitute an endorsement or recommendation of the following haulers)

Advance Disposal	610-313-9710
Borough of Bridgeport	610-272-1811
J.P. Mascaro & Sons	610-272-2765
Rapid Recycling	610-650-0737
Republic Services	610-265-6337
Waste Management	877-394-4814

Contacts/ Links

To report illegal dumping, littering, or recycling issues, please contact the Bridgeport Borough Office by phone or email at MDickinson@BridgeportBorough.org

Bridgeport Borough Office 610-272-1811.
Montgomery County Recycling Hotline 610-278-3618

Find out where to recycle anything, www.Earth911.com
Look up MontCo Recycling Events, www.MontgomeryCountyRecycles.org

Find us on Facebook®:
Bridgeport Borough

INVESTING IN
OUR COMMUNITY



**BRIDGEPORT
BOROUGH
BUSINESSES**



RECYCLE



	YES (Mixed in Your Recycling Can, Emptied and Clean or Rinsed)	NO (Not Accepted in Curbside Recycling Can)
PAPER & CARDBOARD 	Office and Computer Paper Newspaper Magazines Phone Books, Paperback Books Junk Mail, Flyers, Cards Paperboard Boxes (Cereal, etc.) Corrugated Cardboard (Flattened)	Food-Contaminated Papergoods, Polycoated Cardboard (Ice Cream, Milk & Juice Cartons) Waxed Cardboard and Waxed Paper Antiseptic Containers (Soup and Soy, Rice, or Almond Milk, etc.) Paper Coffee Cups
PLASTIC 	Plastics with Recycling Symbol 1, 2, 3, and 5 Plastic Trays Yogurt Cups Plastic Bottles and Jugs	Plastics with Recycling Symbol 4, 6, and 7 Plastic Bags (return to grocery store) Plastic Lids and Caps Styrofoam Syringes Large Outdoor Toys
GLASS 	Glass Bottles and Jars (All Colors) Separate Lids from Jars and Bottles	Pyrex and Ovenware Windows and Windshields Drinking Glasses and Crystal Lightbulbs, Ceramics, and Mirrors
METAL 	Steel Cans Tin Cans Aluminum Cans Steel Bottle Caps Metal Jar Lids	Scrap Metal
ELECTRONICS, HAZARDOUS WASTE, & MORE 	As of 2013, PA State Law bans disposal of electronic waste with municipal waste. Best Buy and Staples offer some e-waste recycling. Please refer to the www.MontgomeryCountyRecycles.org website for disposal of electronics, hazardous waste, tires, construction waste, appliances, and other materials.	
YARD WASTE 	Leaves and yard waste must be separated from municipal trash. Leaves are collected curbside by Bridgeport Borough in the spring and fall, and Christmas trees are collected in January. Please see the online schedule. Leaves and yard waste may be dropped off at the Heuser Park Compost Site on Beidler Road in Upper Merion Township.	

TRASH COSTS MONEY, RECYCLING SAVES MONEY... AND IT'S THE LAW. LEARN MORE:

www.BoroughofBridgeport.com
610.272.1811
MDickinson@BridgeportBorough.org



Bridgeport Borough

*Montgomery County Recycling Info
www.MontgomeryCountyRecycles.org

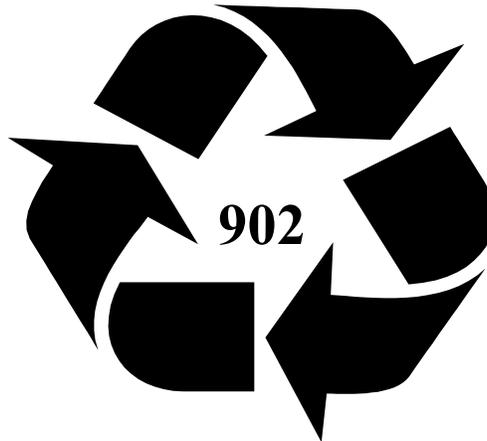
Appendix J

Section 902 Recycling Grant Fact Sheet



pennsylvania
DEPARTMENT OF ENVIRONMENTAL
PROTECTION

MUNICIPAL RECYCLING PROGRAM GRANTS
UNDER SECTION 902 OF ACT 101
THE MUNICIPAL WASTE PLANNING, RECYCLING AND WASTE REDUCTION ACT OF
JULY 1988



Recycling Grant Application

Filing Deadline: April 7, 2018

**PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WASTE MANAGEMENT
DIVISION OF WASTE MINIMIZATION AND PLANNING**

www.dep.pa.gov

GRANTS FOR DEVELOPMENT AND IMPLEMENTATION OF MUNICIPAL RECYCLING PROGRAMS FACT SHEET

1. The 902 Grant Program:

Grants are authorized under Section 902 of the Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101 of July 1988). All grants are allocated from the Recycling Fund authorized under Act 101. Section 902 grants are available to all municipalities including counties, cities, boroughs, incorporated towns, townships, home rule municipalities, councils of governments, consortiums, Solid Waste Authorities, or similar entities established by two or more municipalities under 53 PA. C.S. Chapter 23 Subchapter A (relating to intergovernmental cooperation). Municipalities are eligible for up to 90% funding of approved program costs. Municipalities designated by the Department of Community and Economic Development as financially distressed are eligible to receive 100% funding of approved program costs.

Projects eligible for grant funding are those that divert the following recyclable materials from municipal solid waste: source separated recyclable materials (clear glass, colored glass, aluminum, steel and bimetallic cans, highgrade office paper, newsprint, corrugated paper, plastics and other marketable grades of paper), source separated food scraps and leaf waste.

Municipalities may sponsor recycling projects involving not-for-profit agencies acting on a municipality's behalf to implement projects that benefit the municipality. Private enterprises cannot be funded. These grants are limited to funding for the processing of source separated recyclable materials and yard waste or the manufacturing of products made from those materials.

The recycling program to be funded may not duplicate or interfere with other operating recycling programs as determined by the Department of Environmental Protection. To ensure this, municipalities may need to advertise their intent to establish collection and/or processing programs.

Municipalities mandated to recycle under Act 101 must have enacted an ordinance that includes, but is not limited to, the following:

- a. a requirement for the separation of at least three materials from municipal solid waste ("MSW") by residents of homes and apartments;
- b. a requirement for the separation of leaf waste (as defined by the Act) from MSW by residents of homes and apartments;
- c. a requirement for the separation of at least high-grade office paper, corrugated paper, aluminum cans and leaf waste from MSW by commercial, municipal and institutional establishments;
- d. a curbside collection system for recyclable materials operating at least once per month;
- e. provisions to ensure compliance with the ordinance; and,
- f. provisions for the recycling of collected materials.

Projects that involve municipalities lacking a mandatory trash collection program, or projects seeking support for a residential recycling program where a corresponding commercial recycling program does not exist, will not be considered for funding. Additionally, mandated municipalities that allow the burning of recyclables including leaf and yard waste will also not be considered for funding. Applicants seeking funds to replace curbside collection containers and/or collection vehicles will need to demonstrate that the new equipment will increase collection efficiencies and tonnage of materials.

In addition, mandated municipalities must conduct a recycling education program that notifies all persons occupying every residential, commercial, municipal and institutional establishment within its borders of the requirements of the ordinance. This must be conducted at least once every six months. **Mandated municipalities that fail to meet the above requirements or that fail to enforce the provisions of their recycling ordinance will not be considered for a recycling grant. Any municipality that has failed to submit its Annual Recycling Report for calendar year 2017 will not be considered for a recycling grant. Municipalities that were a grant recipient from the last 902 grant award round will be considered for funding this solicitation period.**

2. Terms Used in this Fact Sheet:

The definitions provided below are intended to aid the reader in understanding this fact sheet and grant application. They are not intended to substitute for, replace, or modify statutory or regulatory definitions.

Administrative costs – Executive, organizational, and clerical costs associated with the general management of an organization rather than with a specific program or project. Under this grant program, postage is considered an administrative cost.

Date of encumbrance – The date a grant agreement is signed by the Comptroller's Office when grant funds become available.

Direct salaries – Salaries of employees involved in the recycling program or its components.

In-kind services – Services that are donated to the project. There are no actual cash outlays for in-kind services. Volunteer and pro-bono services are considered in-kind.

Match – The portion of project costs provided by the applicant.

Source separated recyclable materials – Materials that are separated from municipal waste at the point of origin for the purpose of recycling, including: clear glass, colored glass, aluminum cans, steel and bimetallic cans, highgrade office paper, newsprint, corrugated paper, other marketable grades of paper, plastics, yard waste and food scraps.

Leaf Waste - leaves, garden residues, shrubbery and tree trimmings, and other vegetative materials.

3. The Application Process:

Grant application periods and funding priorities are published in the **Pennsylvania Bulletin**. You may also contact your DEP or County Recycling Coordinator for this information.

Pre-application conferences are **required**. The Department's Regional Planning and Recycling Coordinators (see attached list) should be contacted for application forms and the scheduling of pre-application conferences. Your County Recycling Coordinator should also be able to assist you with completing the application. At a minimum, you should have a draft of your project's proposed expenditures available for the pre-application conference.

All applications submitted in compliance with the application deadline will be evaluated in accordance with a grant application review and evaluation procedure. This procedure is outlined under Section 8 of this fact sheet.

Successful applicants will be notified and a grant agreement (contract) developed for signature by the applicant, DEP, the Attorney General and the Comptroller's Office. The grant agreement is considered fully executed after signature by the Comptroller.

4. Grant Limitations:

- Grant awards are contingent upon the availability of monies in the Recycling Fund.
- Grant contracts must be fully executed within one year of a grant offering.
- Funds must be spent within two years after full execution of a contract.
- Only one extension of a contract's termination date is permissible, and may not exceed three months. A request for a contract extension must be made no later than 90 days prior to the contract termination date.

- A county (or authority representing a county or a combination of the two) may receive no more than 10% of the money available under this grant program in any fiscal year. No municipality (including a county and/or an authority representing that county, or a combination of the two) may request or be awarded more than \$350,000 in this funding period.
- A grant may not be awarded to any county or municipality that has failed to comply with the conditions set forth in previously awarded grants, the grant requirements of Act 101, the regulations of the Act, or the reporting requirements of the Act. A county or municipality that encourages or allows the destruction and/or burning of materials included in its recycling program will not be awarded a grant.
- The funding of equipment available under the Department of General Services' COSTARS program will be limited to the amount identified in the current state contract for that equipment. Contact the COSTARS www.dgs.state.pa.us/costars/ program (866) 768-7827 for a list of available equipment.
- The cost of educational materials, equipment or facilities purchased for the recycling program that are also used for purposes other than recycling will be pro-rated to reflect their recycling use.
- Funding for wood chipping equipment will be approved only when the equipment is part of a comprehensive leaf waste collection program and where the material is collected curbside from residents and where the wood chips produced are put to a beneficial use as determined by the Department.
- A municipality must retain sole ownership of equipment or facilities funded by a grant for the useful life of said equipment or facility. Grant funded property may be transferred to another municipality through written approval by the Department.
- If collection or processing vehicles are to be purchased as part of this grant, you should be aware of the restrictions governing such purchases under the Motor Vehicle Procurement Act, Act 40 of 1984.
- If construction costs are part of this grant, you should be aware of the provisions contained in the Prevailing Wage Act, Act 442 of 1961.
- **Equipment and property purchased with funds from this grant and with a purchase price of \$1,000 or greater shall be clearly identified by the grantee, through a sign or lettering permanently affixed to the equipment or property, as being funded by a Department of Environmental Protection Act 101, Section 902 Recycling Grant.**
- Each grantee must provide for an independent performance audit to be completed within six months after all reimbursable work under the grant has been completed. Grant funds cannot be used to complete this requirement.
- The Department may withhold 10% of the grant award until all conditions of the grant agreement are completed and verified.

5. Fundable Costs For Municipal Recycling Program Grants:

- The costs of developing a recycling program, including recycling program design costs, recycling market investigations, development of recycling market commitments, development of recycling program ordinances, development of the recycling public education program, and costs for developing contracts for procuring equipment or services necessary for the operation of the program. The grants may also be used toward the cost of developing a leaf waste collection and composting program. Examples of project development costs include consultant fees, advertising associated with equipment purchases or ordinance reviews, and conference fees.

- Costs associated with educating the public on recycling program requirements, including the development and publication of printed and audio-visual educational materials, advertisements, the development of Internet “Recycling Home Pages,” and school or special event programs. No part of the administrative costs associated with conducting an education program shall be considered as a fundable cost.
- The costs of purchasing or leasing vehicles used to collect recyclables, transport recyclables to processing facilities or markets, and vehicles used in the operation of a materials recovery facility, as well as the cost of reusable containers for collection or storage of recyclable materials. Examples of collection equipment costs include leaf boxes and vacuums, drop-off boxes, and household or office recycling collection containers.
- The costs of acquiring equipment used to process or manufacture recyclable materials into usable products. Examples of processing equipment costs include balers, shredders, windrow turners and grinders. See Section 7 regarding advertising requirements for mechanical processing equipment.
- The costs of acquiring and/or renovating buildings for processing and storage of recovered materials. Examples of building costs include construction, utility installation and repairs to existing structures.
- Improvements to land needed to operate a recycling facility or leaf waste composting facility. Examples of land association costs include fencing, grading, paving and site work in preparation of construction.
- Applicants requesting support for the following (and demonstrating how the request will lead toward greater program self-sufficiency) will receive additional consideration:
 - An incentive based pricing and collection program designed to increase the quantities and types of recyclable materials and reduce the quantity of waste collected.
 - Multi-municipal collection, processing and/or materials marketing programs where capital costs are reduced and/or recycling marketability is enhanced due to intergovernmental cooperation.
 - Development and implementation of collection methods that will provide greater marketability and value to collected recyclable materials..
 - In addition, communities whose existing recycling programs contain the following components will receive additional consideration:
 - Public provided or municipal contracted waste and recycling services.
 - The collection of six(6) or more Act 101 materials.

Items specifically excluded as eligible for grant funds:

- Land.
- Postage.
- Salaries and administrative costs associated with the implementation of the recycling program.
- In-kind services and activities not related to the program.
- Travel-related costs.
- Vehicles used to collect solid waste (other than recyclables) from generators.
- Operation and maintenance of projects.
- Any work or equipment funded under previous Department grants.
- Street sweepers.
- Plastic lumber for benches or tables.
- Sales tax.
- Garages (buildings for the storage or maintenance of equipment).
- Computers, related hardware, and other office equipment.
- Billboard advertising.
- Backyard composting containers.

- Public recycling containers for parks and streetscapes.
- Community event containers
- Pick-up trucks.
- Glass crushing equipment (unless specific marketing arrangements have been identified).
- Vehicles equipped with compaction units (except for the sole collections of yard waste, paper fiber and/or single-stream collection where a facility equipped to process such material has been identified).
- Promotional items not containing program specific information (materials collected, collection frequency, material preparation, etc.).
- Awards or incentives.
- Costs associated with the preparation of the grant application.

6. Eligible Match For Municipal Recycling Program Grants:

- Any funds expended on grant eligible costs.
- The lease value of land or existing buildings utilized for project purposes during the life of the grant agreement. Construction costs of new equipment storage facilities may also be considered for match. Justification will be required by the Department.
- The lease value of municipal equipment dedicated to the operation of the recycling program during the life of the grant agreement. Justification will be required by the Department.
- Postage related to a municipality's recycling education program.
- The cost of bio-degradable yard waste collection bags.
- The administrative costs associated with the recycling public education program, including travel costs directly related to the recycling program occurring within the Commonwealth and 300 miles of the agency's official business address unless otherwise approved by the Department. Travel costs are to be in accordance with and are not to exceed maximums prescribed in Department Travel Regulations, as set forth in Management Directive 230.10 of February 15, 2007, as revised.
- In-kind services for which no cash outlay occurs that are directly related to the recycling program.
- Interest paid to financial institutions on eligible expenditures.
- Containers, education and development of the waste collection portion of a "Pay As You Throw" or other incentive-based recycling program.

Items specifically excluded as eligible match toward a program:

- Direct salaries.
- Vehicles which are used to collect solid waste from generators.
- Operation and maintenance of projects.
- Administrative costs associated with the implementation of the recycling program other than the recycling public education program.
- In-kind services and activities not related to the program.
- Any work or equipment funded under previous Department grants.

7. Public Notice Requirements For Purchase of Mechanical Processing Equipment

If a municipality proposes to use some or all of recycling grant funds to purchase mechanical processing equipment, it must demonstrate that the equipment is not available from the public or private sector for use in the program. Before submitting a recycling grant application seeking funding for the purchase of mechanical processing equipment with a retail value of \$200 or greater, a municipality must publish a public notice.

The notice can be in the form of a display advertisement or legal notice. The notice must:

- Include a description in reasonable detail of the equipment the municipality proposes to purchase or cause to be purchased.
- Include a description of the intended uses of the equipment.
- Include a statement that the equipment is proposed to be funded by an Act 101, Section 902 grant.
- State that interested persons may submit comments to the municipality within 30 days of the publication of the notice.
- Be published once a week for at least two consecutive weeks in a newspaper of general circulation in the area where the proposed equipment will be maintained. An additional two-week advertising period may be required. Please consult your DEP Regional Planning and Recycling Coordinator.

The Recycling Grant application must include:

- Proof of compliance with the notification requirements including dated copies of the public notice.
- A description of the responses received to the public notice.
- An explanation of why the municipality has concluded the equipment is not available from the private sector.

8. Grant Application Review and Evaluation Procedure:

All applications submitted to the Department by the announced deadline are reviewed by the appropriate DEP Regional Planning and Recycling Coordinator.

The DEP Regional Coordinator conducts an administrative review to determine that all pages and requirements have been completed by the applicant. Once deemed administratively complete, the DEP Coordinator reviews the application to determine the feasibility of the proposed project; the relation of the proposed project to other existing or proposed projects in the area, and the need for this project in relation to the municipality's, county's and/or Commonwealth's recycling goals, efforts and mandates. Applicants will be notified by their Regional Office of any deficiencies found.

Recommendations for funding are submitted to the DEP Central Office by each Regional Office. DEP Central Office reviews grant recommendations for consistency with funding priorities, confirms eligibility and compares programs across regional boundaries. A final list of recommendations is developed that does not exceed the total of funds budgeted for the grant awards. Approximately six months may be required to complete the application review and approval process. Successful applicants are officially notified of a grant award (offering) by letter.

9. Grant Contract:

Included with the grant offering letter will be a copy of the draft grant contract for the project. No grant funds can be released until the grant contract has been fully executed.

A fully executed grant contract for the project *must* be developed between the applicant and the Department within one year of the date of the offering letter, otherwise the grant will be returned to the Recycling Fund. A minimum of two months may be needed for processing of the grant contract after it is signed by the applicant and forwarded to the Department.

10. Disbursement of Funds:

The applicant will be sent a copy of the fully executed contract along with a copy of the Disbursement Request Form associated with this contract. Requests for disbursement (reimbursement) must be made to the Department in order to receive funds. Disbursement requests are reviewed/approved by the appropriate DEP Regional Coordinator, ***who must verify that items or services claimed for reimbursement have been delivered to the grantee.***

The approved disbursement request is forwarded to DEP Central Office for coding and to ensure that adequate funds are available to cover payment. Generally within two weeks of receipt by Central Office, the disbursement request is forwarded to the Department's Comptroller's Office for processing, and then to the Department of Treasury for payment. It takes approximately two to six weeks from the date the disbursement request was forwarded to the Comptroller's Office to receive payment. Please allow a total of 12 to 16 weeks for the complete processing of any disbursement request.

All grant funds covered under the grant contract must be expended within the specified length of the contract. The termination date of the contract is determined by the length of the contract beginning from the date grant funds are encumbered by the Comptroller. The date of encumbrance will be listed in the grant contract. All grant accounts will be closed by the Department six months after the grant contract terminates. Any remaining funds will be returned to the Recycling Fund.

INSTRUCTIONS TO COMPLETE THE 902 GRANT APPLICATION

GENERAL INSTRUCTIONS

1. Two copies of the application must be submitted to the Department's Central Office, (Pennsylvania Department of Environmental Protection, Bureau of Waste Management, Division of Waste Minimization and Planning, P.O. Box 8472, Harrisburg, PA 17105-8472) in accordance with the application deadline established by the Department and published in the *Pennsylvania Bulletin*. A copy of each application must also be submitted to your County Recycling Coordinator (see attached list).
A completed application consists of:
 - a. Part I - Applicant Information
 - b. Part II - Executive Summary
 - c. Part III - Project Narrative
 - d. Part IV - Project Sustainability Plan
 - e. Part V - The Proposal: Scope of Work and Financial/Work Completion Data
 - f. Part VI - Land Use Planning Form
 - g. Part VII - Form W-9, Request for Taxpayer Identification No. and Certification
 - h. Part VIII - Supporting Documents
2. Applications should only be bound with a staple at the upper left corner. Other bindings, covers, tabbed pages, etc., are not to be used. **Please use recycled paper. Detach these instructions prior to submittal.**
3. The application will be reviewed in accordance with a review and evaluation procedure developed by the Department and described in the fact sheet for this grant program. Further information on this procedure may be obtained from the Department's Regional Planning and Recycling Coordinator serving your area.

PART I - APPLICANT INFORMATION

Complete Part I - Applicant Information form as follows:

Line #1. The applicant must be a municipality as defined in Act 101 as amended (i.e.: county, city, township, town, borough, home rule municipality, council of governments, consortium, Solid Waste Authority, or similar entity). If the application represents the efforts of more than one municipality, a lead municipality should be designated to act as the applicant and signer of the agreement. Only one municipality may be listed on line #1. COG's, consortiums and similar entities must provide documentation of their establishment under 53 PA C.S. Chapter 23, Subchapter A.

Line #2. Use the municipality's official business address.

Line #4. This is the official local government representative who will be contacted concerning details of the application and grant agreement development.

Line #6. Please enter your email address.

Line #7. If your municipality does not have a web site, please leave this line blank.

Statement Verification. The application **must** be signed by an authorized official of the municipality or county applying for the grant.

PART II – EXECUTIVE SUMMARY

Please answer all questions listed. Attach additional pages if clarification of any answer is necessary. Please provide supporting documents to verify program components as necessary.

PART III – PROJECT NARRATIVE

On the page provided, give a concise description of the proposed project to be funded.

PART IV – PROJECT SUSTAINABILITY PLAN

All applicants are required to submit a plan as a part of their funding request that includes definitive actions and strategies for optimizing program self-sufficiency. The plan shall include, at a minimum, strategies for reducing costs and generating revenues, provisions for establishing incentives associated with waste reduction and recycling, mechanisms for public outreach and stakeholder input, and tracking mechanisms to document progress toward sustainability milestones until optimum sustainability is realized. The Department's technical report on Building Financially Sustainable Recycling Programs can provide assistance in developing such methods and strategies. The technical report can be found on the DEP's website at http://files.dep.state.pa.us/Waste/Recycling/lib/landrecwaste/recycling/documents/fin_sust_rec.pdf. **Applicants failing to complete the Sustainability Plan portion of the application will not be considered for funding.**

PART V – THE PROPOSAL

A. SCOPE OF WORK

1. Provide a narrative description of each item to be purchased, acquired or claimed as match, including the function of each, as listed in Part V.B. Project development items, educational program items, each item of equipment, and each building or land improvement to be funded or claimed as match, must be listed as a separate item. All in-kind costs or services must be identified and the derivation of their value explained.
2. All applicants required to provide public notice of their grant applications must provide documentation of the public notice, the responses received, and an explanation of why the applicant has concluded the equipment is not available from the private sector. See Section #7 of the preceding fact sheet. Attach documentation to the application forms as Part VIII.
3. Documentation must be provided in support of all anticipated capital expenses. Bid quotes, invoices, catalogue prices, and manufacturers' statements are examples of acceptable documentation. Please be sure to consider the Department of General Services' COSTARS program when obtaining price quotes. Attach documentation to the application forms as Part VIII.

B. FINANCIAL/WORK COMPLETION DATA

1. List the items described in Part V.A., Scope of Work. Enter the total cost expected to be incurred for each item in the "Item Cost" column. Subdivide each cost, as necessary, into the portion to be reimbursed by DEP and the share that will be financed by the municipality (match). The DEP share for the TOTAL program should equal but not exceed 90% of the total item costs unless the Department of Community and Economic Development has designated the applicant as financially distressed. Your DEP Regional Planning and Recycling Coordinator will assist you in defining approved project costs. All costs listed on Part V.B. should be in whole dollars.
2. Project development items, educational program items, each item of equipment, and each building or land improvement to be funded or claimed as match, must be listed as a separate item. All in-kind costs or services must be identified.
3. The total Item Costs must equal the total DEP share plus the applicant match.

PART VI – LAND USE PLANNING FORM

Complete this form by answering the appropriate questions provided. Additionally, for purposes of completing this form, the following definitions should be utilized:

“Comprehensive plans and zoning ordinances” are county, municipal or multi-municipal comprehensive plans adopted under the Municipal Planning Code (MPC) and zoning ordinances adopted under the MPC.

“Consistency” is an agreement or correspondence between matters being compared which denotes a reasonable, rational, similar connection or relationship.

“De Minimis Proposals” are applications for the development of facilities or infrastructure that are minor in scope; they involve a modification of an existing facility or infrastructure project that does not change the basic nature of the facility or infrastructure and that does not alter the associated land use impacts. For example, a grant to hold a public meeting to determine whether there is support for the creation of a greenway or park, the planting of trees in a park to replace an expanse of grass, or construction of a source separated drop off box at a municipally owned property would be considered a de minimis proposal qualifying for the early-opt provisions in this policy.

“Facilities” are buildings and other structures that involve new land development, or result in a change to existing use of land.

“Infrastructure” is permanent structures for transportation, sewer and water facilities, schools, parks, greenways and open space, electric and gas delivery systems, stormwater facilities and telecommunications networks.

PART VII – FORM W9

Complete and sign this form. Grant agreements cannot be finalized without this form.

PART VIII – SUPPORTING DOCUMENTS

Attach such items as mandatory waste, recycling and burning ordinances, proof of publication and responses received, price quotes and/or bids, waste or recycling regulations, examples of educational materials, letters of support, and any other items necessary to support your grant request. Be sure to consider the Department of General Services’ COSTARS program when seeking quotes for equipment.

Complete all sections of the application form as instructed. Be sure to sign and date the form to complete the application.

**PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION
REGIONAL PLANNING & RECYCLING COORDINATORS**

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Butler, Clarion, Crawford, Elk, Erie, Forest, Jefferson, Lawrence, McKean, Mercer, Venango & Warren Counties

**PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WASTE MANAGEMENT
COUNTY RECYCLING COORDINATOR LIST**

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Allegheny County

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