



Zelienople Borough Recycling Ordinance Revisions Public Education Ideas

Project #614

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SCS Engineers is a waste management, environmental engineering, consulting, and construction firm. Nothing herein shall be considered or interpreted to be the provision of legal services or advice.

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1 STATEMENT OF PROBLEM

Zelienople Borough (Borough) has requested assistance under the DEP's Recycling Technical Assistance Program to improve their recycling program. Although the Borough is interested in entering into an agreement with an exclusive hauler for waste and recyclable material collection, this project is designed to provide the Borough guidance in two areas:

- 1) **Update of Recycling Ordinance** – The Borough's existing recycling ordinance took effect in 1992. Since that time, there have been no updates to conform to the changing conditions affecting recycling in the Borough. This project reviewed the Borough's existing recycling ordinance and made recommendations for how it can be improved.
- 2) **Education and Outreach** – Education and outreach activities play a central role in facilitating the success of recycling in the Borough. SCS reviewed the Borough's existing education materials and made recommendations for how those materials could be improved.

Providing guidance to the Borough in these two important areas should help the Borough promote recycling and lay the groundwork for making additional program changes.

2 SUMMARY OF WORK PERFORMED

This section summarizes the tasks carried out to complete this project.

Task 1 – Data Collection

For this task, SCS requested background information/data on the Borough’s existing solid waste and recycling program. This included data on waste and recyclable material tonnages, as well as the Borough’s current solid waste and recycling ordinance and public education materials.

Task 2– Review and Recommendations to Improve Recycling Ordinance

The Borough’s existing ordinance was reviewed with the following considerations in mind:

- 1) Compliance with Act 101;
- 2) Borough’s vision for recycling and specific requests for improving the ordinance;
- 3) Important recycling provisions based on SCS’s experience in reviewing other recycling ordinances.

This report contains a summary of our recommendations. **Appendix D** contains a revised draft recycling ordinance for the Borough to consider.

Task 3 – Review and Recommendations for Expanding Public Education and Outreach

After confirming with Borough representatives that no specific educational materials have been developed to promote recycling in the Borough, SCS reviewed the recycling information provided on the Borough’s website. This task includes some ideas for the Borough to consider in implementing a more extensive education and outreach program.

Task 4 – Final Report

The information obtained and recommendations made as part of this study are included in this report that is provided to the Pennsylvania Department of Environmental Protection (DEP) and the Borough. .

3 RESULTS

CURRENT PROGRAM

Zelienople Borough adopted a recycling ordinance in 1992 to establish a mandatory recycling program for all residents and occupants of commercial, institutional, and municipal establishments. Also included in this ordinance was the mandatory separation, storage, and collection of yard waste. With a population of about 3,700 people¹, the Borough is not mandated by the Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101) to recycle. Efforts to encourage recycling in the Borough are driven by the need to conserve resources and reduce the amount of waste disposed of in landfills.

Solid waste and recyclable material (including yard waste) collection activities in the Borough are completed by two or three private haulers that individually contract with homeowners and businesses. In 2015, just over 300 tons of recyclable materials were collected from residents and businesses in the Borough. Most of the recyclable materials are collected via a single-stream system although some materials are collected separate (cardboard). The Borough operates a vacuum leaf waste collection system each fall at no direct cost to residents. In 2015, the Borough collected over 500 cubic yards of leaves that were brought to a composting site for processing.

ORDINANCE LANGUAGE

A current and clear recycling ordinance is important for encouraging and facilitating recycling in the Borough. This section provides an overview of the Borough's current ordinance along with suggestions for improving it. Although the Borough is not required by Act 101 to implement a recycling program, it is recommended the Borough's recycling ordinance comply with the requirements of Act 101 in the event the Borough is mandated by the state to recycle in the future. **Appendix A** is a summary of the Act 101 recycling requirements for mandated communities.

Definitions

The terms used in the recycling ordinance should be clearly defined. The current ordinance contains some outdated as well as missing definitions of recyclable materials. The list of definitions in the current ordinance was reviewed and when possible or appropriate, SCS recommends making the Borough's definitions of terms consistent with *Pennsylvania Code, Chapter 271, Municipal Waste Management – General Provisions, Subchapter A. General, Section 271.1 Definitions* to facilitate consistency among the Borough's requirements and the state. For example, the Borough's existing ordinance includes a definition of yard waste that includes grass clippings. The proposed draft recycling ordinance mirrors the state's definition of "leaf waste," that excludes grass clippings. Before the Borough considers approval of a revised recycling ordinance, the Borough should meet with haulers servicing their jurisdiction to coordinate specifically how recyclable materials should be defined and what is accepted. This is

¹ U.S. Census Bureau, 2016

particularly important given the challenges many recycling programs face with material quality and the strains created by efforts in China to tighten contamination/residual allowances. This will also help to maintain the integrity of the Borough’s recycling program by reducing the potential that the Borough and a waste hauler will tell residents two different answers with respect to what materials are accepted for recycling.

Registration of Haulers

The Borough’s existing ordinance uses the term “authorized hauler” although this term is not defined. Section 225-24 of the Borough’s current ordinance includes a list of requirements haulers are to comply with and information they are to provide to the Borough. The ordinance does not specifically state compliance with these requests make them an “authorized hauler.”

In order to exercise some control over haulers operating in the Borough, SCS recommends that the Borough consider implementing a “registration” program for haulers that “authorizes” them to collect waste, recyclable materials, and leaf waste in the Borough. Such a program provides the Borough with many benefits, including:

- 1) Tracking haulers and their customers;
- 2) Identifying what days haulers will be collecting waste and recyclable materials;
- 3) Protecting itself from damages and/or claims from hauler negligence;
- 4) Obtaining waste and recyclable material collection tonnage data that is useful to benchmark and measure the Borough’s progress in diverting recyclable materials and leaf waste from disposal.

Appendix B provides sample language that can be incorporated into the Borough’s recycling ordinance to implement such a program. Suggested information and requirements for haulers to meet in order to collect materials in the Borough are provided in the draft language and will help achieve the benefits listed above. An “Authorized hauler” is defined in the draft recycling ordinance as

“Any person, firm, partnership, corporation or public agency registered and authorized by Zelienople Borough to collect municipal waste, recyclable materials, and leaf waste from residences; commercial, institutional, and municipal establishments; or sponsors of community activities.”

Should a hauler registration program not be included as part of the ordinance, the Borough may want to explore other ways to obtain data from haulers. In particular, obtaining information on waste and recyclable material tonnages collected are important for benchmarking the Borough’s current program and provides information for measuring the program success.

New Sections: Authority to Establish and Establishment of Program

The draft recycling ordinance (**Appendix C**) includes two new sections that describe the authority the Borough has to regulate recyclable materials and leaf waste and to establish a mandatory separation and collection program.

Authority to Establish

This section includes setting the parameters for the Borough to establish regulations and requirements affecting recycling. It also includes language for how the Borough is to communicate with the public about proposed or new regulations, including publishing information in a local newspaper and posting notices on the Borough’s website.

Establishment of Program

This section establishes the Borough’s mandatory recycling program that affects all generating sectors (residential; commercial, institutional, and municipal; and community activities). Although the Borough is not an Act 101 recycling community, establishing a recycling program that is consistent with state requirements affords the Borough advantages. Act 140 of 2006 (**Appendix A**) compels municipalities receiving more than \$10,000 of Section 904 grant money to meet a number of requirements, including adopting a mandatory residential and commercial recycling ordinance. A local government not mandated to recycle by Act 101, but implements a mandatory recycling program, may be in a more favorable position to receive a Section 902 Recycling Grant.

Recyclable Materials

To the extent possible, SCS recommends the Borough be consistent with what materials are required to be recycled across all generating sectors in the Borough. Establishing a consistent list of required materials that must be recycled at residences, businesses, and community activities may reduce confusion about what is recyclable. People who live in the Borough also work at or patronize businesses and attend community functions in the Borough. If there are different requirements for what materials must be recycled depending on location, the program may not be as effective in diverting materials for recycling and the recycling stream may become contaminated. The Borough could meet with haulers servicing their residents and businesses to establish a “core” list of materials that may be recycled. If such a list could be developed, those materials could be incorporated into the recycling ordinance.

Generating Sector Requirements

SCS reorganized and expanded the separation and collection expectations (currently listed in Section 225-14) by waste generating sector, including single-family residential; multi-family residential; commercial, institutional, and municipal; and community activities. The general requirements provided in the draft ordinance include:

- Source separation of recyclable materials from municipal waste;
- Use of reusable containers for recyclable material storage and collection;
- Preparation requirements for recyclable materials;
- Education on recycling program structure and materials accepted;
- Arrangements for collection of recyclable materials by an authorized hauler;

- Establish a frequency for the collection of recyclable materials;
- Provision for the self-hauling of recyclable materials to a recycling facility;
- Placement of recyclable material containers for collection;
- Reporting recyclable material quantities diverted annually.

Many of the requirements listed in this section of the draft ordinance include provisions established in sections 225.21-23 of the Borough's existing ordinance. The Borough will need to review the specific provisions required for recycling by each waste generating sector and modify the conditions depending on the Borough's vision for their recycling program.

Reporting Frequency

The Borough's existing recycling ordinance requires residents and business owners who opt to self-haul recyclable materials to a recycling facility to report the quantity of materials recycled on a quarterly basis. SCS recommends reducing the reporting frequency to annually or, if a more frequent report is desired, semiannually. Act 101 requires the reporting of self-hauled material quantities to be annually and the revised ordinance establishes an annual reporting frequency. The reduced administrative burden of less frequent reporting of material quantities should reduce costs and the time commitment of compliance by residents and business owners. Time and cost reductions realized by the Borough staff could be redirected toward public education and outreach on recycling.

Leaf Waste

Requiring the diversion and composting of leaf waste is an important component of the Borough's recycling ordinance. The Borough's current ordinance uses the term "yard waste." SCS recommends the revised ordinance use the term "leaf waste" to be consistent with Act 101. Leaf waste is defined as "leaves, garden residues, shrubbery, and tree trimmings, and similar material, but not including grass clippings" as specified in the Pennsylvania Code². The Borough's existing ordinance provides little guidance on diverting leaf waste other than by stating it must be separated from "other waste."

Act 101 requires the source separation and collection of leaf waste. The requirements include that leaf waste be collected curbside at least once per month or that leaf waste be collected curbside two times per year (once in the spring and once in the fall) and that the Borough establish a drop-off program where residents can deposit leaf waste at least once per month. The designated leaf waste drop off site may be located in a neighboring municipality or at a private facility provided there is an agreement in place for the Borough to use the facility. It is the Borough's responsibility to inform residents and owners or occupants of commercial, institutional, and municipal establishments of the location for leaf waste drop-off.

The draft recycling ordinance (**Appendix C**) includes requirements for residents and business owners to arrange for the collection of leaf waste by an authorized hauler. Exceptions are made

² The Pennsylvania Code, www.pacode.com

for those who would prefer to self-haul leaf waste to a composting site authorized by the state. The draft ordinance also contains requirements for reporting the quantities of leaf waste to the Borough regardless of whether it is self-hauled or collected by an authorized hauler. An additional provision permits residents to compost leaf waste on the properties if desired.

Hazardous Waste, Lead Acid Batteries, and Electronic Waste

The Borough's existing ordinance has a provision for the separation and disposal of lead acid batteries at a facility authorized by Pennsylvania law. This section was expanded to include electronic waste and other household hazardous waste. Recommended provisions require the separation of each of these material types and their disposal at designated facilities authorized or approved by the state or federal regulatory authorities. It also includes a provision that appliances or other materials containing Freon must be processed so that the Freon is removed prior to disposal or recycling. This section will need to be tailored further if the Borough participates in or establishes their own programs for the management of household hazardous waste.

New Sections: Unlawful Activities and Hauler Prohibitions

Unlawful Activities

This new section included in the draft ordinance outlines activities that are prohibited by all persons in the Borough. The information included is an expansion of Section 225-25 in the current ordinance and also includes prohibited activities listed under Section 225-20. Some of these provisions are important for compliance with Act 101, such as prohibiting the burning of recyclable materials/leaf waste and littering/illegal dumping. Other provisions have been identified by other local governments in Pennsylvania as important for managing waste and recyclable materials to reduce nuisance activities. SCS notes that Article III of the Borough ordinance prohibits the burning of recyclable and compostable materials. In an effort to streamline the Borough's ordinance, Article III is essentially incorporated into the draft recycling ordinance under the "Unlawful Activities" section. If there are specific reasons (i.e. different penalties for violations) the Borough established or needs to maintain a separate article prohibiting burning, the Borough may keep Article III intact.

Hauler Prohibitions

A new section included in the draft recycling ordinance lists activities haulers operating in the Borough are prohibited from doing. Hauler prohibitions in this section include:

- Collecting or transporting waste or recyclable materials from anyone who fails to source-separate recyclable materials and leaf waste;
- Comingle recyclable materials and leaf waste with municipal waste;
- Fail to provide for the proper management of waste, recyclable materials, and leaf waste;
- Collect or transport materials in a way that causes or allows materials to litter the Borough's streets and roads or private property;

- Fail to place collection containers in designated locations off streets, roads, and sidewalks;
- Fail to comply with reporting requirements as part of the annual hauler registration process.

SCS notes that Section 225-24 of the Borough’s ordinance includes a number of requirements for haulers. These requirements were incorporated into the proposed hauler registration language included in **Appendix B**. If the Borough does not desire to establish a hauler registration program, these requirements may be incorporated into a new section in the ordinance that could be titled “Hauler Requirements” to facilitate the Borough’s collection of important information for program tracking purposes.

EDUCATION

Public education and outreach are central to the success of the Borough's recycling program. It is also required by Act 101 to occur at least two times each calendar year at six-month intervals. Updating the Borough's recycling ordinance provides an opportunity to refresh and expand educational activities that promote recycling. The Borough is ultimately responsible for recycling education; however, the Borough could explore requiring haulers to provide some educational materials to their customers.

The draft recycling ordinance contains a number of program details and requirements that were not specified in the previous ordinance. The Borough will need to communicate these program updates, changes, and clarifications to everyone in the Borough, including residents, business owners, waste and recyclable material haulers, and community event organizers. Educational activities should occur prior to the revised recycling ordinance taking effect and regularly after it has been approved and implemented.

The type of media the Borough uses to educate waste generating groups should be varied. For example, a simple, eye-catching postcard mailer providing the necessary program information could be sent to all single-family households. A more detailed letter outlining the new and revised provisions of the recycling ordinance may be more appropriate for haulers and owners of commercial or multi-family unit properties. Print educational material should be visually attractive, concise, and convey simple messages. It is also important that these materials direct residents or business owners to other sources (i.e. website) for additional information.

Expand Information Available on Website

The Borough's website is one of the most effective ways to communicate with residents, business owners, and others about recycling. People searching for recycling information on the Borough's website should be able to find it quickly. The information and messages conveyed should be clear, concise, and organized.

Information on recycling is currently available on the Borough's website under the "Explore Zelic Boro" tab and then by clicking on "Notice/Announcements." SCS recommends that the Borough move information on recycling to another instinctive place on their website. For example, the Borough of State College has information on their waste and recycling program listed under the "Departments" tab and then "Public Works³." Zelenople Borough could include recycling information in a similar location as waste management and recycling most often falls under the purview of the Department of Public Works.

The Borough should consider expanding the recycling information available on their website. This can be done by developing webpages that provide specific information on recycling at residences and businesses. **Appendix D** provides sample text for webpages the Borough could consider for inclusion on their website. The draft language is designed to be concise and provide important information on what needs to be recycled, how collection should be arranged, and how to contact the Borough for questions on recycling. To organize information and avoid program

³ Borough of State College, www.statecollegepa.us

specifics being “lost” among paragraphs of text, SCS recommends using bold typeface headings to group information, such as “materials accepted” or “containers.” This not only enhances the readability of the Borough’s website, but also allows individuals to scan a webpage and find the specific information they are looking for more efficiently.

Hauler Education

Revising the Borough’s recycling ordinance will have significant impacts on haulers operating in the Borough. The Borough will need to communicate the changes to haulers well in advance of the revised ordinance taking effect. To help haulers comply and acknowledge they are an important partner in the success of recycling, the Borough may wish to engage haulers and inform them of the revised provisions that will affect them. Borough officials may even wish to implement a program whereby haulers are invited to share their thoughts or feedback on proposed provisions. This feedback could be used to help the Borough decide on the final requirements to include in the revised ordinance. **Appendix E** includes a sample hauler notification letter that could be sent to haulers operating in the Borough notifying them of changes to the recycling ordinance.

Residential and Commercial Education

The Borough should establish a regular schedule for communicating with residents and business owners about recycling. Public education is required by Act 101 to occur at least twice each year six months apart. At least one educational media each year must be in print form (**Appendix A**). Prior to the revised ordinance taking effect, the Borough should send a letter to all residents and business owners with a summary of the program requirements. This will serve as a reminder as to the required participation in the program and give people an opportunity to ask questions about the program. **Appendix F** provides sample notification letters that could be sent to residents and owners of businesses to convey important information about recycling.

The Borough can also use the quarterly “Zelenople News” newsletter to communicate information about recycling to residents. SCS encourages the Borough to include information on municipal waste, recycling, or leaf waste in each issue. Revising the recycling ordinance provides a great opportunity to utilize the newsletter as an educational resource to let people know about the requirements for recycling. The newsletter could include multiple articles on recycling tailored to residents, and business owners or a special “insert” could be developed that solely focuses on recycling.

On an annual basis, the Borough may also consider printing and mailing postcards to all households with a clear, concise message on recycling. **Appendix G** includes a sample postcard that could be graphically designed to be visually appealing while conveying important messages on recycling.

Use Social Media

The opportunity exists to expand the Borough’s presence on social media to reach younger residents who increasingly rely on social networking sites to get information. Social media is designed to communicate quick and often instantaneous messages to recipients. The Borough maintains Facebook® and Twitter® pages as a way to communicate with the public. The

Borough could expand the use of this media to educate residents and businesses owners on issues in regards to recycling. For example, if haulers' indicate a particular non-recyclable material is being placed in recycling containers the Borough could use social media platforms to spread the word this is an issue and ask residents not to put said material in their recycling bins. As another example, the Solid Waste Authority of Palm Beach County, Florida took to Twitter® in late December to reminder their "followers" that if they have cardboard too big for curbside collection it can be brought to one of their convenience centers for recycling.

These platforms can also be used to share human interest stories on the Borough's recycling program such as the number of tons of materials diverted or profiling a resident who has been identified as an "expert" recycler. These "fun facts" can draw positive attention to the recycling program and can facilitate greater participation. The opportunities to share information on social media are endless. Below are two examples of solid waste authorities that use social media on a regular basis.

- Lancaster County Solid Waste Management Authority - <https://twitter.com/LCSWMA?lang=en>
- Solid Waste Authority of Palm Beach County – <https://twitter.com/swapbc?lang=en>

Utilize Opportunities for Face-to-Face Interaction

The Borough should consider identifying opportunities to meet face-to-face with residents and business owners to encourage recycling in the Borough. Similar to why politicians hold rallies and knock on doors, face-to-face interaction is effective at prompting people to action! Meeting with residents face-to-face is an important way to educate people in the Borough on how to recycle.

Zelienople Community Park holds a number of events each year such as Friday "Fun Day," yoga, and a farmers market. Borough staff could consider setting up a simple display at these events to interact with residents, distribute information, and answer questions on recycling. Local groups such as the Rotary Club of Zelienople or the Zelienople-Harmony Area Chamber of Commerce could be good organizations to arrange presentations on recycling for their members.

Enforcement

Although public education and outreach efforts can go far to encourage recycling and facilitate compliance with recycling requirements, the Borough will still need an enforcement program to address non-compliance issues. Enforcing the requirements of the Borough's recycling program should be done by Borough officials such as a code enforcement officer. However, the Borough should leverage the assistance of haulers to identify violations and non-compliance issues. One way to manage this is by providing waste haulers with flyers or stickers that haulers can use to "tag" containers of trash that contain recyclable materials or containers of recyclable materials that contain non-recyclable items. Once a hauler observes a violation, the hauler would attach or leave the flyer or sticker on the container instead of collecting the material. The hauler would

note the address of the violation in a logbook. At the end of the collection route each day, the hauler would provide the Borough with a list of addresses where violations were observed and flyers or stickers were left on collection containers. Borough administrative staff would then issue a letter that would be sent to the address with a request to remedy the violation. **Appendix H** includes sample enforcement flyers and letters that could be used to support the Borough's enforcement program.

4 RECOMMENDATIONS

Section 3 of this report provides recommendations for the Borough to consider in updating their recycling ordinance with a goal to increase participation in recycling and divert more materials from disposal. **Appendix C** includes a draft of a revised recycling ordinance for the Borough's consideration. The Borough's solicitor should review all changes or modifications proposed to the existing ordinance to confirm compliance with applicable laws and regulations prior to voting by the Borough Council. Additionally, the Borough should consider developing a public education and outreach program to inform residents, business owners, and haulers of the requirements of recycling. **Section 3** contains some specific initiatives for the Borough to consider implementing to launch a direct education program. Finalizing a revised recycling ordinance provides a good opportunity to initiate a targeted education program.

5 CONCLUSION

Zelienople Borough should revise their existing recycling ordinance in a way that best serves the Borough's residents and the owners/occupants of commercial, institutional, and municipal establishments. Borough officials in conjunction with their Solicitor or legal counsel should decide what modifications should ultimately be made. The Borough should implement a public education and outreach program that targets specific waste generating sectors. Even though various haulers provide waste and recyclable material collection services to residents and businesses, the Borough has an important role to promote recycling and proper waste management as well as enforce the provisions established in their recycling ordinance. Revising the recycling ordinance and implementing public education initiatives provide a synergy to foster success of recycling in the Borough.

Appendix A
Summary of Act 101 Requirements for Mandated Recycling Communities

Summary of Act 101 Requirements for Mandated Recycling Communities

Overview

Chapter 15, Section 1501 of the Pennsylvania Municipal Waste Planning Recycling and Waste Reduction Act (Act 101), outlines the requirements for large municipalities to recycle.

Municipalities, other than counties, with a population of 10,000 or more people or with a population of more than 5,000 but less than 10,000 people, and a population density of more than 300 people per square mile, are mandated to recycle.

Recycling Ordinance

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

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

Residential Recycling

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

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

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

Owners or landlords of multi-family rental properties with four or more units must establish a recycling collection system at each property. The collection system must include suitable

containers for collecting and sorting materials, easily accessible locations for the containers and written instructions to the occupants concerning the use and availability of the collection system. Owners or landlords that comply with these requirements shall not be liable for noncompliance by occupants of their buildings.

Commercial, Municipal, and Institutional Recycling

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

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

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

Community Activity Recycling

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

Leaf Waste Diversion

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

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

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

Public Education and Outreach

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

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

Numerous forms of educating the public are acceptable and include:

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

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

Implementation

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

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

Exceptions

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

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

Act 140

Requirements for Section 904 Recycling Performance Grants

Overview

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

Requirements:

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

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

If these requirements are not satisfied by the municipality, then the grant funds awarded under

this section must be expended by the municipality only to satisfy these requirements. If all these requirements are satisfied, then the grant funds awarded may be used for any expense as selected by the municipality.

Appendix B
Example Hauler Registration Ordinance Language

Example Hauler Registration Ordinance Language

Hauler registration required.

It shall be unlawful for any person to collect, remove and/or transport municipal waste, recyclable materials, and leaf waste within the Municipality without first registering with the Borough Council of Zelienople Borough. Exceptions are made for persons who directly deliver (self-haul) their municipal waste, recyclable materials, and/or leaf waste to an approved facility.

Hauler registration and approval requirements.

All persons wishing to collect, remove, and/or transport municipal waste, recyclable materials, and leaf waste within the Municipality must register and receive approval from the Borough Council to begin collection. Approved haulers may collect, remove or transport municipal waste, recyclable materials, and leaf waste within the Municipality from the date of approval until January 31 of the following year, only so long as the hauler is in full compliance with the requirements of this article, and any regulations enacted pursuant thereto. Haulers must renew their registration and receive approval from the Borough Council annually no later than January 31 of each calendar year. Hauler registrations and approvals are not transferable.

At the time of registration, the hauler shall provide the following information on a form prepared by the Municipality:

- 1) The name of the hauler, name of a contact person, business address, telephone number, email address, and twenty-four hour emergency telephone number to receive calls from persons in the Municipality.
 - 2) The make, model, year, and registration number (if applicable) of each truck or vehicle to be used in the Municipality to collect, remove, and/or transport municipal waste, recyclable materials, and leaf waste.
 - 3) A certificate of the hauler's workmen's compensation insurance, as required by law.
 - 4) A certificate of insurance coverage providing complete third-party public liability for both bodily injury and property damage, owner's and hauler's protective insurance and automobile insurance with respect to personal injuries and property damage. Such insurance shall be in amounts that shall be from time to time set forth by the Borough Council by regulations adopted hereunder. Each and every policy of insurance herein mentioned which is required pursuant to the terms of this article shall carry with it an endorsement to the effect that the insurance carrier will convey to the Municipality, by certified mail, written notice of any modifications, alterations or cancellation of any such policy or policies or the terms thereof. The above-mentioned written notice shall be received by the Municipality at least 10 days prior to the effective date of any such modification, alteration or cancellation.
 - 5) Haulers shall provide the Municipality with its current rate schedule, its intended areas of operation in the Municipality, by street, the terms of service, and the scheduled days of collection in each area of the Municipality.
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- 6) Confirmation that the hauler provides the following collection services to persons in the Municipality:
 - a. Separate collection of municipal waste
 - b. Separate collection of recyclable materials
 - c. Separate collection of leaf waste

 - 7) Customer list providing the following information on all residential; commercial, institutional, and municipal; and community activity customers located in the Municipality:
 - a. Name
 - b. Address
 - c. Services provided

 - 8) The state-permitted disposal sites where municipal waste will be taken for disposal.

 - 9) The processing and/or marketing facilities where the recyclable materials will be taken.

 - 10) The state-licensed composting site where leaf waste will be brought.

 - 11) Annual single-family residential establishment report detailing the annual quantities of municipal waste, recyclable materials (by material type), and leaf waste collected in the Municipality if the hauler collected municipal waste, recyclable materials, and leaf waste at any time in the Municipality during the previous calendar year.

 - 12) Such other information as the Municipality, in furtherance of this article, shall deem appropriate and necessary.
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Appendix C
Draft Revised Recycling Ordinance

Zelenople Borough DRAFT Recycling Ordinance

Chapter 225. Solid Waste

Article II. Recycling

Short title.

This article shall be known and may be cited as the "Recycling Ordinance of the Borough of Zelenople."

Purpose.

The Borough of Zelenople hereby establishes a program for the reduction of solid waste, the recycling of recyclable materials, and the composting of leaf waste, as defined herein, by the separation and collection thereof in the Borough of Zelenople.

Definitions.

The following words and phrases, as used in this article, shall have the meanings ascribed to them herein, unless the context clearly indicates a different meaning:

Act 101

The Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act of 1988 (Act 1988-101, July 28, 1988).

Aluminum Containers

Refers to cans or containers comprised of 100 percent aluminum.

Authorized Hauler

Any person, firm, partnership, corporation or public agency registered and authorized by Zelenople Borough to collect municipal waste, recyclable materials, and leaf waste from residences; commercial, institutional, and municipal establishments; or sponsors of community activities.

Bimetallic Containers

Empty food or beverage containers consisting of ferrous sides with aluminum top and bottom. A container is bimetallic if a magnet sticks to the sides but not the ends.

Commercial Establishment

An establishment engaged in the nonmanufacturing or non-processing business, including, but not limited to, stores, markets, office buildings, restaurants, shopping centers and theaters.

Community Activities

Events that are sponsored in whole or in part by a municipality, or conducted within a municipality and sponsored privately, which include, but are not limited to, fairs, bazaars, socials, picnics, and organized sporting events attended by 200 or more individuals per day.

Composting

A process involving the microbial decomposition of organic matter.

Composting facility

A facility using land for processing of municipal waste by composting. The term includes land thereby affected during the lifetime of the operations, including, but not limited to, areas where composting actually occurs, support facilities, borrow areas, offices, equipment sheds, air and water pollution control and treatment systems, access roads, associated onsite or contiguous collection, transportation and storage facilities, closure and post closure care and maintenance activities and other activities in which the natural land surface has been disturbed as a result of or incidental to operation of the facility. The term does not include a facility for composting residential municipal waste that is located at the site where the waste was generated.

Corrugated Paper

A structural paper material with an inner core shaped in rigid parallel furrows and ridges.

Disposal Facility

A state-permitted facility which processes or acts upon municipal waste, recyclable materials, or leaf waste so as to dispose of or process the material, such as a composting facility, an incinerator, a resource recovery plant, a material recovery facility, a waste-to-energy facility, or a sanitary landfill.

Glass Containers

Empty bottles and jars made of clear, green, or brown glass. This definition does not include non-container glass, window glass, blue glass and porcelain, ceramic products and light bulbs.

High-Grade Office Paper

Bond, copier, letterhead or mimeograph paper typically sold as “white ledger” paper, and computer paper.

Institutional Establishment

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

Junk Mail and Envelopes

Mail received but not for a specific purpose and the container the 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, garden residues, shrubbery, and tree trimmings, and similar material, but not including grass clippings.

Magazines and catalogs

Glossy publications including catalogs.

Miscellaneous paper

Other clean, dry, or uncoated paper materials not identified in any other definition for which markets exist for recycling. Includes paperboard/chipboard, computer paper, notebook paper, and other miscellaneous recyclable paper.

Multi-Family Establishment

Residential properties having four or more dwelling units per structure.

Municipal Establishment

Public facilities operated by the Borough and other governmental and quasi-governmental agencies.

Municipal Waste

Garbage, refuse, industrial lunchroom or office waste and other material, including solid, liquid, semisolid or contained gaseous material resulting from operation of residential, commercial, institutional and municipal establishments and from community activities; and sludge not meeting the definition of residual or hazardous waste under this section from a municipal, commercial or institutional water supply treatment plant, waste water treatment plant or air pollution control facility.

Municipality

The Borough of Zelienople.

Newspapers

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.

Person

An individual, partnership, corporation, association, institution, cooperative enterprise, municipal authority, Federal Government or agency, State institution and agency including, but not limited to, the Department of General Services and the State Public School Buildings Authority - or another legal entity which is recognized by law as the subject of rights and duties. In the provisions of this article pertaining to a fine or penalty, the term includes the officers and directors of a corporation or other legal entity having officers and directors.

Plastic containers

Plastic food, beverage, and household product containers only (i.e. milk, water, soda, detergent, shampoo) labeled with a SPI Code Numbers 1, 2, 3, 5, 6, and 7. Expressly excluded are plastic bags and plastic film, automotive product containers, flowers pots, and expanded polystyrene.

Recycling facility

A facility that utilizes a process whereby recyclable materials are collected, separated, or processed and returned to the economic mainstream in the form of raw materials or products.

Recyclable Materials

Materials listed in Section 1501 of Act 101 and other materials identified by the Borough to be recycled in this article or as established by the Borough Council from time to time by resolution, which may include: aluminum or bimetallic cans, cardboard, magazines and catalogs, glass bottles/jars, junk mail/envelopes, newspaper, paperboard, plastics, leaf waste and any other materials as designated.

Recycling

The collection, separation, recovery, and sale of recyclable materials that would otherwise be disposed or processed as municipal waste.

Single Family Establishment

Any single-family house, duplex, or other dwelling of three units or less.

Source Separation

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

Steel Containers

All coated (tin, zinc, etc.) and other empty ferrous food and beverage containers.

Authority to establish.

- 1) The Municipality shall have the authority to enact, 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 and owners, landlords, and occupants of multi-family residential establishments and commercial, institutional, and municipal establishments, and organizers or sponsors of community activities to source separate recyclable materials from municipal waste and place recyclable materials in designated locations for collection.
- 2) Regulations so adopted by the Municipality shall be published at least one time in a newspaper of general circulation in the Municipality and posted on the Municipality's website. Violations of any such regulations shall be deemed violations of this article and subject to the same penalties hereunder.

Establishment of program.

The Municipality hereby establishes a program for the mandatory source separation and collection of recyclable materials from municipal waste, and the mandatory source separation and composting of leaf waste from all residential, commercial, institutional, and municipal establishments located in the Municipality. Recyclable materials shall be collected at such times and dates as established in this article or hereinafter established by regulation.

Single-family residential establishments.

- 1) Persons occupying single-family residential establishments shall separate recyclable materials from municipal waste and shall place the materials curbside or at another location designated by the Municipality or authorized hauler.
 - 2) Recyclable materials are to be placed in reusable containers issued by the Municipality or authorized hauler for the sole purpose of recyclable material storage until collection by the authorized hauler. Containers issued by the Municipality remain the property of the Municipality and shall remain at the single-family residential establishment at all times.
 - 3) Municipality- or authorized hauler-issued containers for recyclable materials shall only be used for the storage and collection of recyclable materials. No municipal waste may be placed in containers designated for recyclable materials and no recyclable materials may be placed in containers designated for the storage and collection of municipal waste.
 - 4) Recyclable materials placed for collection shall be prepared in a secure manner to prevent such recyclable materials from being blown about or otherwise scattered upon the Municipality's streets, roads, or on private property. When placed at the curb for collection, recyclable materials shall be placed in reusable containers that clearly identify the contents as recyclable materials.
 - 5) Persons occupying single-family residential establishments are responsible for arranging with an authorized hauler for the collection of recyclable materials. The frequency of recyclable material collection shall be arranged by the persons occupying the single-family residential establishment and the authorized hauler, but shall occur no less than once a month. Exceptions shall be made to this provision if the persons occupying single-family residential establishment self-haul recyclable materials generated at their property to a recycling facility. The persons occupying single-family residential establishments must receive prior approval from the Municipality to self-haul recyclable materials. Persons occupying the establishment must submit an annual report to the Municipality, by January 31 of each year, stating their name, address, the recycling facility that received self-hauled recyclable materials, receipts from the recycling facility documenting the weight of each type of recyclable material delivered during the previous calendar year, and any other relevant information required by the Municipality.
 - 6) Containers for recyclable materials shall be placed curbside or at another location as agreed upon by the Municipality or authorized hauler. Under no circumstances shall the container be placed within the paved portion of a road or street. Containers shall not be placed in a location that obstructs a public sidewalk or that impedes clear vision for motorists traveling on the adjacent streets, roads, or at intersections. It is the responsibility of persons occupying the single-family residential establishment to place their containers curbside or similar location in time for collection by an authorized hauler. Containers shall be placed at the curb no earlier than 6:00 p.m. on the day prior to the
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collection day. Containers shall be taken inside or removed from the curbside by midnight on the day of collection.

Multi-family residential establishments.

- 1) Persons occupying multi-family residential establishments shall separate recyclable materials from municipal waste.
 - 2) An owner, landlord, or agent of an owner or landlord of a multi-family residential establishment shall establish a collection program for recyclable materials for persons occupying each multi-family residential establishment to utilize. The collection program shall include:
 - a. Containers for sorting, storage, and collection of recyclable materials. Containers shall be reusable and clearly marked as designated for recyclable materials;
 - b. Placement of containers in easily accessible locations for all occupants of multi-family residential establishments;
 - c. An appropriate number of recycling containers and a sufficient number of collection areas to accommodate the amount of recyclable materials generated at each property. The Municipality reserves the right to require the owner, landlord or an agent of the owner or landlord of a multi-family residential establishment to provide additional containers for recyclable materials if the number of containers is deemed to not be adequate by the Municipality.
 - d. Written instructions shall be provided to persons occupying the establishment concerning use and the availability of the collection system.
 - 3) An owner, landlord or agent of an owner or landlord of a multi-family residential establishment shall be required to provide persons occupying multi-family residential establishments notice of the Municipality's mandatory recycling program. Notice shall be provided in writing by including language in the rental agreement or lease signed by the occupant and by prominently posting written notice of the requirement for recycling in the common area(s) of the establishment. Posted and written notices shall be kept accessible for inspection by Municipal officials, if requested.
 - 4) An owner, landlord or agent of an owner or landlord of a multi-family residential establishment where recyclable materials are generated is responsible for arranging with an authorized hauler for the collection of recyclable materials. The frequency of recyclable material collection shall be decided by the owner, landlord or agent of an owner or landlord of a multi-family residential establishment and the authorized hauler, but shall occur no less than every other week. Exceptions shall be made to this provision if an owner, landlord or agent of an owner or landlord of a multi-family residential establishment self-hauls recyclable materials generated at their property to a recycling facility. The owner, landlord or agent of an owner or landlord of a multi-family residential establishment must receive prior approval from the Municipality in order to self-haul recyclable materials. The owner, landlord, or agent of an owner or landlord must submit an annual report to the Municipality, by January 31 of each year, stating
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their name, the address the recyclable materials were generated, the recycling facility that received the self-hauled recyclable materials, receipts from the recycling facility documenting the weight of each kind of recyclable material delivered during the previous calendar year, and any other relevant information required by the Municipality.

- 5) An owner, landlord or agent of an owner or landlord of a multi-family residential establishment must provide the Municipality, before January 31 of each year, a written report stating their name, the address where the recyclable materials were generated, the name of the authorized hauler collecting recyclable materials, the total weight of each kind of material recycled during the previous calendar year, and any other relevant information required by the Municipality.
- 6) An owner, landlord or agents of an owner or landlord of a multi-family residential establishment in compliance with the article shall not be liable for noncompliance by persons occupying their property.

Commercial, institutional, and municipal establishments.

- 1) Persons occupying commercial, institutional, or municipal establishments shall separate recyclable materials from municipal waste.
 - 2) An owner, landlord or agent of the owner or landlord of a commercial, institutional, or municipal establishment shall establish a collection program for persons occupying each commercial, institutional, or municipal establishment. The collection system shall include:
 - a. Containers for sorting, storage, and collection of recyclable materials. Containers shall be reusable and clearly marked as designated for recyclable materials;
 - b. Placement of containers in easily accessible locations for occupants of commercial, institutional, or municipal establishments;
 - c. An appropriate number of recycling containers and a sufficient number of collection areas to accommodate the amount of recyclable materials generated at each property. The Municipality reserves the right to require the owner, landlord or agent of an owner or landlord of a commercial, institutional, or municipal establishment to provide additional recycling containers if the number of containers is deemed to not be adequate by the Municipality.
 - d. Written instructions shall be provided to persons occupying the establishment concerning use and the availability of the collection system.
 - 3) An owner, landlord or agent of an owner or landlord of a commercial, institutional, or municipal establishment shall be required to provide to persons occupying commercial, institutional, or municipal establishments notice of the Municipality's mandatory recycling program. Notice shall be provided in writing by including language in the rental agreement or lease signed by the occupant and by prominently posting written notice of the requirement for recycling in the common area(s) of the building. Posted and written notices shall be kept accessible for inspection by Municipal officials, if requested.
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- 4) An owner, landlord or agent of an owner or landlord of a commercial, institutional, or municipal establishment where recyclable materials are generated are responsible for arranging with an authorized hauler for the collection of recyclable materials. The frequency of recyclable material collection shall be arranged between the owner, landlord or agent of an owner or landlord of a commercial, institutional, or municipal establishment and the authorized hauler, but shall occur no less than every other week. Exceptions shall be made to this provision if an owner, landlord or agent of an owner or landlord of a commercial, institutional, or municipal establishment self-hauls recyclable materials generated at their property to a recycling facility. The owner, landlord or agent of an owner or landlord of a commercial, institutional, or municipal establishment must receive prior approval from the Municipality in order to self-haul recyclable materials. The owner, landlord, or agent of an owner or landlord must submit an annual report to the Borough, by January 31 of each year, stating their name, the address the recyclable materials were generated, the recycling facility that received the self-hauled recyclable materials, receipts from the recycling facility documenting the weight of each kind of recyclable material delivered during the previous calendar year, and any other relevant information required by the Municipality.
- 5) The owner, landlord or agent of an owner or landlord of a commercial, institutional, or municipal establishment must provide the Municipality, before January 31 of each year, a written report with their name, the address where the recyclable materials were generated, the name of the authorized hauler collecting recyclable materials, the total weight of each kind of material recycled during the previous calendar year, and any other relevant information required by the Municipality.
- 6) An owner, landlord or agent of the owner or landlord of commercial, institutional, or municipal establishment who are in compliance with the article shall not be liable for noncompliance by persons occupying their property.

Community activities.

- 1) The organizers or sponsors of community activities must establish a system for source separation, collection, transportation, and recycling of the recyclable materials generated at community activities.
 - 2) Organizers or sponsors of community activities must establish a collection system that includes an appropriate number of recycling containers at easily accessible locations to accommodate the amount of recyclable materials generated. Organizers and sponsors must provide signage and/or labels on all recycling containers to indicate what recyclable materials are to be source-separated.
 - 3) Organizers or sponsors must contract with an authorized hauler for the collection of recyclable materials. Exceptions shall be made to this provision if an organizer or sponsor of a community activity self-hauls recyclable materials generated at their event to a recycling facility. The organizer or sponsor of a community activity must receive prior approval from the Municipality in order to self-haul recyclable materials. An organizer
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or sponsor of a community activity shall submit an annual report, by January 31 of each year, stating their name, the community activity that generated the recyclable materials, the name of the recycling facility that received self-hauled recyclable materials, receipts from the recycling facility documenting the weight of each kind of recyclable material delivered during the previous calendar year, and any other relevant information required by the Municipality.

- 4) An organizer or sponsor of a community activity must provide a written report, no later than January 31 of each year, to the Municipality that lists their name, the community activity that generated the recyclable materials, the authorized hauler collecting recyclable materials from the community activity, the total weight of each kind of material recycled during the previous calendar year, and any other relevant information required by the Municipality

Leaf waste.

- 1) It is prohibited and will be deemed a violation hereof for any person in the Municipality to put or cause to put leaf waste with municipal waste. Leaf waste shall be separated from municipal waste generated on every property.
 - 2) Owners, landlords or agents of owners or landlords of single-family or multi-family residential establishments and commercial, institutional, and municipal establishments where leaf waste is generated shall separate leaf waste from other municipal waste and store the materials until collection. No leaf waste shall be comingled with other municipal waste or recyclable materials.
 - 3) Owners, landlords or agents of owners or landlords of single-family or multi-family residential establishments and commercial, institutional, and municipal establishments where leaf waste is generated are responsible for arranging with an authorized hauler for the collection of leaf waste. The frequency of leaf waste collection shall be arranged between the owners, landlords, or agents of owners or landlords of each establishment and the authorized hauler, but shall occur no less than monthly. Exceptions shall be made to this provision if the owners, landlords or agents of owners or landlords of single-family or multi-family residential establishments and commercial, institutional, and municipal establishments self-haul leaf waste generated at their property to a composting facility authorized by the state. The owners, landlords or agents of owners or landlords of establishments that self-haul leaf waste must submit an annual report, by January 31 of each year, stating their name, address of where leaf waste was generated, the name of the composting facility that received self-hauled leaf waste, receipts from the composting facility documenting the weight of the leaf waste delivered during the previous calendar year, and any other relevant information required by the Municipality.
 - 4) Nothing herein shall prevent any person from utilizing leaf waste for compost, mulch, or other agriculture, horticulture, or landscaping purposes on the property where the leaf waste is generated.
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Hazardous waste, lead-acid batteries, and electronic waste.

- 1) It shall be unlawful for any person to place hazardous or residual waste, as defined in Act 101, in municipal 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.
- 2) It shall be unlawful for any person to place a used lead acid battery in municipal 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 smelter permitted by the U.S. Environmental Protection Agency, or to a collection or recycling facility authorized under the laws of Pennsylvania.
- 3) In accordance with Act 108, no person may dispose of a Covered Device or any of its components with their municipal waste. This type of waste requires special collection and disposal arrangements and must comply with applicable state laws and regulations.
- 4) Large and small appliances containing Freon may not be combined with municipal waste. These appliances contain chlorofluorocarbons 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, and water coolers.

Ownership of recyclable materials.

From the time of placement of recyclable materials at the curb or other designated area for collection by the authorized collector, pursuant to this article and any rules and regulations adopted hereunder, the recyclable materials, as designated in this article, shall become the property of the Municipality or the authorized hauler.

Unlawful activities.

It shall be unlawful and a violation of this article for any person in the Municipality carry out the following activities.

- 1) Collection by unauthorized persons - From the time of recyclable materials placement at the curb or other designated location, it shall be a violation of this article for any person unauthorized by the Municipality to collect or pick up recyclable materials. Any and each collection in violation hereof from one or more locations shall constitute a separate and distinct offense punishable as hereafter provided.
 - 2) Burning of recyclable materials and leaf waste - The burning of recyclable materials and leaf waste shall be prohibited at all times in the Municipality.
 - 3) Littering/illegal dumping – It is unlawful for any person in the Municipality to dump or deposit municipal waste, recyclable materials, leaf waste, or any other refuse on any private or public property or grounds in the Municipality.
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- 4) Overfilling containers – Containers of municipal waste, recyclable materials, leaf waste, or any other refuse must not be overfilled to provide for or allow materials to become displaced by natural or manufactured elements.
- 5) Storing/stockpiling materials – It is prohibited for any person in the Municipality to store, process, or dispose of any regulated municipal waste or recyclable materials except in preparation for the collection by an authorized collector as provided herein. Notwithstanding the forgoing, leaf waste may be composted onsite.
- 6) Prevention of duties – It is unlawful for any person in the Municipality to hinder, prevent, or obstruct the Municipality or authorized collectors from carrying out their duties as outlined in this article or in its enforcement.

Hauler prohibitions.

It shall be unlawful and a violation of this article for any authorized collector operating in the Municipality to:

- 1) Collect or transport any municipal waste, recyclable materials, or leaf waste from any person failing to source-separate recyclable materials and leaf waste as required herein.
- 2) Comingle source-separated recyclable materials or leaf waste collected with municipal waste.
- 3) Fail to provide for the proper management of any municipal waste, recyclable materials, and leaf waste collected or transported in the Municipality.
- 4) Collect or transport any municipal waste, recyclable materials, or leaf waste in a manner that causes or allows said materials to fall upon Municipality streets or roads or on private property.
- 5) Fail to place collection containers in their designated locations off public roadways and sidewalks after collection of materials.
- 6) Not comply with the annual reporting requirements as required in this article by the Municipality.

Franchised Collection Option

The Borough may enter into an agreement with one or more public or private agencies or firms at any time to authorize said agencies or firms to collect all or part of municipal waste, recyclable materials, and/or leaf waste placed at curbside or at another designated site.

Administration and enforcement.

Municipal code enforcement officials, police officers, and other appointed Municipal officials are hereby individually and severally empowered to enforce the provisions of this article. An inspection may consist of sorting through containers of municipal waste and opening bags of

municipal waste to detect the presence of recyclable materials, or inspecting containers of recyclable materials to detect the presence of municipal waste.

Violations and penalties.

- 1) Any person who shall violate the provisions of this article and its rules and regulations shall receive an official written warning of noncompliance for the first offense. Thereafter, all such violations shall be subject to the penalties hereinafter provided.
- 2) Any person who shall violate any provision of this article shall, upon conviction thereof, be sentenced to pay a fine of not less than \$25 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days.

Right to review.

The Borough of Zelienople retains the right at its discretion to review cases involving extraordinary circumstances or imposing extreme economic hardship on individuals or businesses.

Appendix D
Sample Recycling Website Text

RECYCLING

Residential Recycling

Materials

Residents of Zelienople Borough are required to separate the following materials from trash for recycling:

Aluminum	Leaf waste
Bimetallic containers	Magazines and catalogs
Corrugated paper	Miscellaneous paper
Glass containers	Newspapers
High-grade office paper	Plastics
Junk mail/envelops	Steel container

Collection

Each household must arrange with a private waste hauler for the separate collection of recyclable materials at their own expense. The following haulers are registered with the Borough to provide collection services:

- Hauler A – Phone Number
- Hauler B – Phone Number
- Hauler C – Phone Number

Recyclable materials will be collected curbside. Each household and the hauler are to agree on how often recyclable materials will be collected. **Borough ordinance requires recyclable materials to be collected at least monthly.**

Material Preparation

The hauler providing recycling services for your household will provide information on how recyclable materials must be prepared. In general, recyclable materials should be clean and dry. Please contact your hauler if you have questions on how to properly recycle.

Containers

Recyclable materials must be placed in reusable containers for collection. Either recycling containers are provided by your hauler or they may be obtained from the Borough by calling **PHONE NUMBER**.

Self-Haul of Recyclable Materials

Residents may opt to self-haul their recyclable materials to a recycling facility instead of contracting with a hauler for the curbside collection of materials. Residents wishing to self-haul recyclable materials should call the Borough at **PHONE NUMBER** to receive approval. Residents approved to self-haul recyclable materials must prepare an annual report and submit it to the Borough by January 31 of each

year that lists the facility(s) where recyclable materials were self-hauled and the quantities of each kind of recyclable materials self-hauled.

Additional Information

The Borough’s recycling ordinance is available at www.zelieboro.org. For questions on the Borough’s recycling program, please call **PHONE NUMBER**.

Apartment/Multi-Family Recycling

Materials

Owners and occupants of apartments and other multi-family dwellings located in Zelienople Borough are required to separate the following materials from trash for recycling:

- | | |
|-------------------------|------------------------|
| Aluminum | Leaf waste |
| Bimetallic containers | Magazines and catalogs |
| Corrugated paper | Miscellaneous paper |
| Glass containers | Newspapers |
| High-grade office paper | Plastics |
| Junk mail/envelops | Steel containers |

Collection

Owners or occupants of apartments and other multi-family dwellings must arrange with a private waste hauler for the separate collection of recyclable materials at their own expense. The following haulers are registered with the Borough to provide collection services:

- Hauler A – Phone Number
- Hauler B – Phone Number
- Hauler C – Phone Number

Recyclable materials will be collected onsite from a location agreed upon by the apartment/multi-family building owner and hauler. The location of recyclable material collection containers must be convenient for all occupants of apartments and multi-family units, and be located adjacent to containers used for the disposal of trash. Each apartment/multi-family building owner and hauler are to agree on how often recyclable materials will be collected. **Borough ordinance requires recyclable materials to be collected at least every other week.**

Material Preparation

The hauler providing recycling services to each apartment or multi-family building will provide information on how recyclable materials must be prepared. In general, recyclable materials should be clean and dry. Please contact your hauler if you have questions on how to recycle properly.

Containers

Recyclable materials must be placed in reusable containers provided by either the hauler or the owner of the apartment building or multi-family facility.

Reporting

Apartment and multi-family building owners must submit a report to the Borough by January 31 of each year that lists the name of the hauler servicing the building, the facility(s) where recyclable materials were delivered to, and the quantities of each kind of recyclable materials delivered from the previous calendar year.

Self-Haul of Recyclable Materials

Owners of apartment and multi-family buildings may opt to self-haul their recyclable materials to a recycling facility instead of contracting with a hauler for the onsite collection of materials. Owners of apartment or multi-family buildings wishing to self-haul recyclable materials should call the Borough at **PHONE NUMBER** to receive approval. Owners of apartment buildings or multi-family facilities approved to self-haul recyclable materials must prepare an annual report and submit it to the Borough by January 31 of each year that lists the facility(s) where recyclable materials were self-hauled and the quantities of each kind of recyclable materials self-hauled.

Additional Information

The Borough’s recycling ordinance is available at www.zelieboro.org. For questions on the Borough’s recycling program, please call **PHONE NUMBER**.

Business Recycling

Materials

Businesses and institutions located in Zelenople Borough are required to separate the following materials from trash for recycling:

- | | |
|-------------------------|------------------------|
| Aluminum | Leaf waste |
| Bimetallic containers | Magazines and catalogs |
| Corrugated paper | Miscellaneous paper |
| Glass containers | Newspapers |
| High-grade office paper | Plastics |
| Junk mail/envelops | Steel containers |

Collection

Business owners must arrange with a private waste hauler for the separate collection of recyclable materials at their own expense. The following haulers are registered with the Borough to provide collection services:

- Hauler A – Phone Number
- Hauler B – Phone Number
- Hauler C – Phone Number

Recyclable materials will be collected onsite from a location agreed upon by the business owner and hauler. The location of recyclable material collection containers must be convenient for all occupants and patrons of businesses, and be located near containers used for the disposal of trash. Each business owner and hauler are to agree on how often recyclable materials will be collected. **Borough ordinance requires recyclable materials to be collected at least every other week.**

Material Preparation

The hauler providing recycling services to each business will provide information on how recyclable materials must be prepared. In general, recyclable materials should be clean and dry. Please contact your hauler if you have questions on how to recycle properly.

Containers

Recyclable materials must be placed in reusable containers provided by the hauler.

Reporting

Business owners must submit a report to the Borough by January 31 of each year that lists the name of the hauler servicing the business, the facility(s) where recyclable materials were delivered to, and the quantities of each kind of recyclable materials delivered from the previous calendar year.

Self-Haul of Recyclable Materials

Business owners may opt to self-haul their recyclable materials to a recycling facility instead of contracting with a hauler for the onsite collection of materials. Business owners wishing to self-haul recyclable materials should call the Borough at **PHONE NUMBER** to receive approval. Business owners approved to self-haul recyclable materials must prepare an annual report and submit it to the Borough by January 31 of each year that lists the facility(s) where recyclable materials were self-hauled and the quantities of each kind of recyclable materials self-hauled.

Additional Information

The Borough's recycling ordinance is available at www.zelieboro.org. For questions on the Borough's recycling program, please call **PHONE NUMBER**.

Leaf Waste

Materials

All residents and owners of apartment buildings and commercial properties are required by Borough ordinance to separate leaf waste from trash for composting. Leaf waste includes:

- Leaves
- Shrubbery
- Branches
- Garden residues
- Tree trimmings

Note that grass clippings are **EXCLUDED** from the required materials for composting!

Collection

Each household or owner of an apartment building or business must arrange with a private waste hauler for the separate collection of leaf waste at his or her own expense. The following haulers are registered with the Borough to provide collection services:

- Hauler A – Phone Number
- Hauler B – Phone Number
- Hauler C – Phone Number

Leaf waste will be collected curbside or at another similar location. Frequency of collection will be agreed upon by the resident or apartment/business owner and the hauler. **Borough ordinance requires leaf waste to be collected at least monthly.**

Material Preparation

The hauler providing leaf waste collection services will provide information on how leaf waste must be prepared. Please contact your hauler if you have questions on how to prepare your leaf waste.

Self-Haul of Leaf Waste

Residents and owners of apartment buildings or businesses may opt to self-haul their leaf waste to a state authorized composting facility instead of contracting with a hauler for the curbside collection of materials. Those wishing to self-haul leaf waste should call the Borough at **PHONE NUMBER** to receive approval. Those approved to self-haul leaf waste must prepare an annual report and submit it to the Borough by January 31 of each year that lists the composting facility(s) where leaf waste is self-hauled and the quantities of materials.

Additional Information

The Borough's recycling ordinance is available at www.zelieboro.org. For questions on the Borough's leaf waste diversion program, please call **PHONE NUMBER**.

Appendix E
Example Hauler Notification Letter

EXAMPLE HAULER NOTIFICATION

Zelienople Borough Letterhead

[Date]

Attn: [Hauler Contact]

[Hauler Company Name]

[Address]

[City, State, Zip]

Dear [Hauler Contact]:

Zelienople Borough is adopting a revised recycling ordinance. The Borough's existing recycling ordinance, Article II of Chapter 225 in the Borough Code, was adopted in 1992. Since that time, the conditions and requirements for recycling have changed. The Borough is modernizing the ordinance in an effort to increase recycling. As a hauler serving the Borough, we recognize you are an important partner to keep the Borough clean and help achieve our recycling goals.

The revised ordinance will continue to mandate recycling at all residences, commercial, institutional, and municipal properties, and community activities in the Borough. A copy of the revised recycling ordinance that is going before the Borough Council for approval is included as an attachment to this letter. Note that once the ordinance is approved by the Borough Council, you will be responsible for complying with all provisions. The revised ordinance contains provisions that directly affect haulers, including:

- **Hauler Registration** – The Borough is establishing an annual registration program for all haulers wishing to collect trash, recyclable materials, and leaf waste in the Borough. This process must be completed by January 31 of each year. It will require each hauler to submit information such as contact information, equipment specifications, insurance certificates, rate schedules, customer lists, and previous calendar year tonnage data, among other things, to the Borough. The Borough will provide a form on which to complete this information.
- **Materials Required for Recycling** – The Borough has a strong desire to have a uniform recycling program whereby materials accepted for recycling are the same whether you are at home, work, patronizing a business, or attending a community event. While we realize that the materials accepted for recycling can vary based on markets and other factors, the Borough established a “core” list of materials that must be recycled at all properties in the Borough. The list of materials required for recycling is included in the revised recycling ordinance.
- **Collection Services Provided** – Haulers wishing to operate within the Borough's jurisdiction are required to provide separate collection services for municipal waste, recyclable materials, and leaf waste to ALL their customers in the Borough. Residents,

business owners, and others have the option of self-hauling recyclable materials or leaf waste to authorized facilities with prior approval from the Borough. However, all haulers must provide separate collection services for these materials if residents or business owners choose to have a hauler provide them.

We appreciate your cooperation as Zelenople Borough seeks to improve their recycling program. If you have any questions, please contact the Borough at PHONE NUMBER.

Zelenople Borough Code Enforcement

Enc. (1)

Appendix F
Example Resident and Business Recycling Notification

EXAMPLE RESIDENT AND BUSINESS NOTIFICATION

TO: Residents and Business Owners in Zelenople Borough
FROM: Zelenople Borough Code Enforcement Officer
RE: Revised Recycling and Leaf Waste Ordinance
DATE: September 2018

Zelenople Borough is revising our Mandatory Recycling Ordinance!

The Borough established our existing mandatory recycling ordinance in 1992. Since that time, the recycling industry and requirements have changed. A modernized recycling ordinance will serve residents and businesses better and increase the amount of materials diverted for recycling and composting. Effective on [DATE], the Borough will enact Recycling Ordinance [NUMBER] that will require:

- **Recyclable Materials** - All residents and businesses must source separate recyclable materials from their solid waste. Residents and businesses owners must either contract with a hauler for the collection of materials or self-haul the materials to a recycling facility. Residents or business owners must be preapproved by the Borough to self-haul materials to a recycling facility. Containers for the collection and storage of recyclable materials at your property must be provided by your hauler or obtained from the Borough of Zelenople.
- **Leaf Waste** - All residents and businesses must source separate leaf waste from their solid waste. This includes leaves, garden residues, shrubbery and tree trimmings, but not including grass clippings. Residents and businesses owners must either contract with a hauler for the collection of leaf waste or self-haul the leaf waste to a composting facility. Residents or business owners must be preapproved by the Borough to self-haul materials to a composting facility. Leaf waste may also be composted or managed on the property where it was generated.
- **Burning is Prohibited** - All residents and businesses are reminded that the burning of recyclable materials and leaf waste is prohibited.

The full text of the recycling ordinance is available on the Borough’s website at www.zelieboro.org. If you have questions or need additional information on setting up a recycling program please contact the Borough at [PHONE NUMBER]. Together we can make the Borough of Zelenople a cleaner and greener place to live and conduct business.

Zelenople Borough Administration
[PHONE NUMBER]
[EMAIL ADDRESS]
www.zelieboro.org

Appendix G
Recycling Reminder Postcard Text

Attention Borough Residents!

Borough residents are required to recycle!

Contact your waste hauler to set-up recycling service.

Contact the Borough if you have questions on recycling!

[PHONE NUMBER]

[EMAIL ADDRESS]

More information is available on the Borough's website:

www.zelieboro.org

Appendix H
Sample Enforcement Flyer/Sticker and Letter

RECYCLE THESE ITEMS!

The Borough of Zelenople requires the recycling of the following items by everyone in the Borough:



OFFICE AND MIXED
PAPER, NEWSPAPER,
AND MAGAZINES



PLASTIC BOTTLES AND
CONTAINERS



STEEL, ALUMINUM, AND
BIMETAL CANS



GLASS BOTTLES AND
JARS



CARDBOARD
(please flatten)



LEAVES, BRUSH, SHRUBS

All items should be empty, clean, and dry.

Please contact the Borough of Zelenople with questions on recycling.

[PHONE NUMBER]

www.Zelieboro.org

Graphs courtesy of The Recycling Partnership!

OOPS!

THESE ITEMS ARE NOT RECYCLABLE

Please do NOT place the following items in your recycling container:



PLASTIC BAGS



BAGGED MATERIALS



FOOD AND LIQUIDS



HOSES, WIRES, CORDS



MEDICAL WASTE,
NEEDLES



TEXTILES AND SHOES

Please contact the Borough of Zelenople with questions on recycling

PHONE NUMBER

www.Zelieboro.org

Graphs courtesy of The Recycling Partnership!

EXAMPLE NOTICE OF VIOLATION

Zelenople Borough Letterhead

[Date]

[Name]

[Address]

[City, State, Zip]

RE: NOTICE OF RECYCLING PROGRAM VIOLATION

Dear [Name]:

All residents and businesses, including multi-family dwellings and apartments, in Zelenople Borough are required by Ordinance # _____ to separate recyclable materials and leaf waste from municipal waste. The following materials must be separated and recycled by residents and businesses in the Township:

- Plastic containers
- Corrugated cardboard
- Miscellaneous paper
- Leaf waste
- Aluminum/steel cans
- Newspapers
- High-grade office paper
- Glass bottles and jars
- Junk mail
- Magazines/catalogs

The hauler provided collection service to your property on _____ and found you to be in violation of Ordinance # _____ due to _____

A copy of the Borough’s recycling ordinance is attached. Please note the applicable fines, fees, and penalties for violations. Each day that a person is in violation of the ordinance constitutes a separate offense. Please remedy the aforementioned problem(s) by your next collection day. This notice serves as your first offense warning. Subsequent violations of the Borough’s recycling ordinance may result in fines and/or penalties.

We appreciate your cooperation with and participation in the Borough’s mandatory recycling and leaf collection program. If you have questions please contact the Borough at [phone number] or [email address].

Sincerely,
Zelenople Borough Code Enforcement Officer