

Pennsylvania Department of Environmental Resource

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Recycling Requirements Municipalities Act 101

- Requires that municipalities as stipulated in the Act (mandated) to establish and implement a source separation and collection program for recyclable materials

Ordinance or regulation which requires:

- Persons to separate and hold for collection at minimum 3 materials deemed appropriate by municipality chosen from stipulated list
- Persons to separate and hold for collection leaf waste unless otherwise composted
- Persons to separate and store for collection recyclable materials stipulated by this section, including leaf waste, generated at commercial, municipal or institutional establishments

Requires a scheduled day at least once a month to place recyclables at the curbside for collection

Requires a system to collect recyclable materials from curbside

Requires provisions to ensure compliance with ordinance

Requires provisions for the recycling of the materials collected

Requires mandated municipalities to establish and implement a program which educates and informs persons within their boundaries of the features of their recycling program at least once every six months

Requires report from mandated municipalities on or before February 15 of each year on weight or volume of materials that were recycled

Compliance Issues

- Requirements under Act 101 that leaf waste, as source separated material, is to be held and collected at least once per month unless otherwise composted. Act 101, 1501.(c)(2)
- Act 101 stipulation prohibiting municipal waste landfills and resource recovery facilities from accepting loads of predominately leaf waste. Act 101, 1502.(a)
- Section 272.421(2) of Municipal Waste Regulations provides for municipalities to schedule leaf waste as appropriate

Leaf Waste Collection Questions

- What prompted the Department's efforts to improve yard waste collection compliance?
- When did the collection requirements for leaf waste change and when was it published in the PA Bulletin?
- What is the genesis of the October 1st and March 1st dates requiring scheduling of at least one curbside collection for leaves and one for shrubbery?

Questions (continued)

- What is the justification for requiring drop-off locations at least monthly, and why can't drop off substitute for curbside collection?
- What is the rationale behind considering Christmas trees within the definition of leaf waste?

Leaf Waste Collection Questions and Answers

- **What prompted the Department's efforts to improve yard waste collection compliance?**
 - Correspondence/pre-application conference over recent years revealed some confusion regarding leaf waste collection and management under Act 101
 - Confusion resulting from the regulation providing for municipalities to collect leaf waste as appropriate
 - Culminating in non-reporting by many municipalities of amount of leaf waste recycled annually as required, or partial program or no programs at all, with leaf waste subsequently being disposed in direct non-compliance with Act 101

Questions and Answers (continued)

- **When did the collection requirements for leaf waste change and when was it published in the PA Bulletin?**
 - The leaf waste requirements stipulated under Act 101 has always required monthly collection 1501 (C)(2)
 - The Department realizing the special and seasonal nature of when leaf waste is generated provided collection as appropriate by regulation.
 - The term "appropriate" has resulted in some confusion regarding leaf waste collection and management requirements under Act 101

Leaf Waste Collection Compliance

- At least 1 collection for leaves, garden residue, other similar vegetative materials between October 1st and March 1st
- At least 1 collection for shrubbery, tree trimmings, other similar vegetative materials between March 1st and October 1st
- One or more drop-off locations where residents/CIM establishments can drop off accumulated leaf waste at least monthly (Can be waived if leaf waste collected curbside monthly)
- Provision in leaf waste collection program for the management of Christmas trees

Questions and Answers (continued)

- **What is the genesis of the October 1st and March 1st dates requiring scheduling of at least 1 collection, respectively?**
 - Act 101 requires leaf waste as a source separated material to be collected once a month Act 101, 1501 (c)(2)
 - The Department realizing the seasonal nature of when leaf waste is generated, allowed municipalities through regulation to collect leaf waste as appropriate
 - These time frames are selected because this when the majority of leaf waste is collected and when collection is needed and as clarification in our efforts to assist municipalities in the compliance and accomplishment of the goals of Act 101
 - What would be a more appropriate time frame?????

Questions and Answers (continued)

- What is the justification for requiring drop-off location for collection at least monthly, and why can't they substitute for curbside collection?
 - Drop-off program is supplemental to curbside program if leaf waste not collected once a month
 - Supplemental program is required because large quantity of leaf waste would remain uncollected if only collected curbside once in the Fall and once in the Spring
 - Residents require somewhere to take their leaf waste if they are complying with the law and regulations

Questions and Answers (continued)

- What is the rationale behind considering Christmas trees to fall within the definition of leaf waste?
 - Christmas trees are source separated for collection by their nature
 - Generate a large quantity/volume of material which would use up a unnecessary amount of landfill space in small amount of time if not collected and recycled
 - Christmas trees discarded in much the same manner as shrubbery, tree trimming, other similar material and to be recycled must be processed in the same manner as aforementioned materials
 - Residents, if complying with Act 101 need a place to take them for them ultimately recycled
 - Managing them as leaf waste is appropriate and in keeping with the Goals of Act 101

Some Act 101 Goals Act 101, Section 101.(a)

- Decrease flow of solid waste into municipal waste landfills
- Aid in conservation and recovery of valuable resources
- Conserve energy in the manufacturing process
- Increase supply of reusable materials for the Commonwealth's industries
- Reduce the burdens on the Commonwealth's municipal waste processing and disposal facilities
- Promote source separation of marketable materials so that reusable materials can be returned to the economic mainstream in the form of raw materials and products rather than be disposed.