

LEGISLATIVE REFERENCE BUREAU

AMENDMENTS TO HOUSE BILL NO. 1768

Sponsor:

Printer's No. 2667

1 Amend Bill, page 1, lines 17 through 19, by striking out "
2 AND FURTHER PROVIDING FOR POWERS" in line 17, all of line 18 and
3 "LIMITATION, FOR RECORDS," in line 19 and inserting
4 and for recycling fee for municipal waste landfills and
5 resource recovery facilities; providing for used tire pile
6 remediation; and further providing

7 Amend Bill, page 1, line 23, by striking out the comma after
8 "APPLICATIONS" and inserting
9 and

10 Amend Bill, page 1, lines 23 and 24, by striking out "AND
11 FOR" in line 23 and "RECORDS" in line 24

12 Amend Bill, page 3, lines 3 through 30; page 4, lines 1
13 through 30; page 5, lines 1 through 4, by striking out all of
14 said lines on said pages and inserting

15 Section 2. Section 701(d) of the act, amended November 9,
16 2006 (P.L.1347, No.140), is amended to read:
17 Section 701. Recycling fee for municipal waste landfills and
18 resource recovery facilities.

19 * * *

20 (d) Sunset for fee.--No fee shall be imposed under this
21 section on and after January 1, [2012] 2020.

22 Section 3. The act is amended by adding a section to read:
23 Section 707. Used tire pile remediation.

24 (a) Funding transfer.--Beginning in fiscal year 2009-2010,
25 through and including fiscal year 2012-2013, \$1,250,000 shall be
26 transferred from the Recycling Fund created under section 706 to
27 the Used Tire Pile Remediation Restricted Account established
28 under section 110 of the act of December 19, 1996 (P.L.1478,
29 No.190), entitled "An act relating to the recycling and reuse of
30 waste tires; providing for the proper disposal of waste tires

1 and the cleanup of stockpiled tires; authorizing investment tax
2 credits for utilizing waste tires; providing remediation grants
3 for the cleanup of tire piles and for pollution prevention
4 programs for small business and households; establishing the
5 Small Business and Household Pollution Prevention Program and
6 management standards for small business hazardous waste;
7 providing for a household hazardous waste program and for grant
8 programs; making appropriations; and making repeals."

9 (b) Use of funding.--For fiscal year 2009-2010 through
10 fiscal year 2012-2013 moneys in the account shall be used for
11 the following purposes:

12 (1) The remediation of waste tire piles on the priority
13 enforcement list maintained by the department pursuant to
14 section 107(a) and (b) of the act of December 19, 1996
15 (P.L.1478, No.190).

16 (2) The remediation of waste tire piles on the list of
17 additional waste tire sites maintained by the department
18 pursuant to section 107(d) of the act of December 19, 1996
19 (P.L.1478, No.190).

20 (3) For the award of grants pursuant to section 111 of
21 the act of December 19, 1996 (P.L.1478, No.190) for
22 remediation of waste tire piles as provided in this
23 subsection or for activities authorized under that section
24 which the department determines will assist with the
25 remediation of waste tire piles as provided in this
26 subsection.

27 (c) Annual report by department.--No later than December 31,
28 2010, and no later than each December 31 thereafter, the
29 department shall provide a report to the Environmental Resources
30 and Energy Committee of the Senate, the Appropriations Committee
31 of the Senate, the Environmental Resources and Energy Committee
32 of the House of Representatives and the Appropriations Committee
33 of the House of Representatives on the Used Tire Pile
34 Remediation Restricted Account and the remediation of used tire
35 piles. The last report to be submitted by the department
36 pursuant to this subsection shall be submitted no later than
37 December 31, 2014. Within seven days following submission of
38 each report to the Senate and House committees, the department
39 shall post the report on the department's publicly accessible
40 Internet website. The report shall include:

41 (1) The current balance of the account and the projected
42 balance of the account at the end of the fiscal year for
43 which the department's budget is being submitted.

44 (2) A listing of waste tire piles remediated or to be
45 remediated pursuant to subsection (b) during the prior fiscal
46 year and cumulatively since the effective date of this
47 subsection.

48 (3) Those waste tire piles which the department expects
49 to remediate pursuant to subsection (b) during the fiscal
50 year for which its budget is being submitted and the
51 projected cost for remediation of those waste tire piles.

1 (4) Those waste tire piles which will remain to be
2 remediated pursuant to subsection (b) and the projected cost
3 for remediation of those waste tire piles.

4 Section 4. Section 1101 of the act is amended to read:

5 Amend Bill, page 6, line 20, by striking out "3" and

6 inserting

7 5

8 Amend Bill, page 9, line 9, by striking out "4" and inserting

9 6

10 Amend Bill, page 10, line 6, by inserting after

11 "APPLICATION."

12 An adjacent municipality which chooses to conduct an independent
13 evaluation of a permit application must do so within 60 days of
14 the department's receipt of the permit application.

15 Notwithstanding the provisions of this subsection, an adjacent
16 municipality affected by an application already received by the
17 department as of the effective date of this section shall have
18 60 days to conduct an independent evaluation. Nothing in this
19 subsection shall be construed to alter an existing permit review
20 timeframe that was negotiated prior to the effective date of
21 this section.

22 Amend Bill, page 10, line 7, by striking out "5" and

23 inserting

24 7

25 Amend Bill, page 10, line 10, by striking out "6. SECTIONS
26 1301 AND 1304 OF THE ACT ARE" and inserting

27 8. Section 1301 of the act is

28 Amend Bill, page 11, lines 27 through 30; page 12, lines 1
29 through 7, by striking out all of said lines on said pages

30 Amend Bill, page 12, line 8, by striking out "7" and
31 inserting

32 9

33 Amend Bill, page 12, line 8, by striking out "in 60 days" and
34 inserting

35 immediately