HOUSE DOCKET, NO. 2182 FILED ON: 1/20/2011

HOUSE . . . . . No. 2370

The Commonwealth of Massachusetts

PRESENTED BY:

Peter V. Kocot

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to biomass facilities and solid waste combustion.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Peter V. Kocot	*1st Hampshire*
Denise Andrews	*2nd Franklin*
Brian M. Ashe	*2nd Hampden*
Frank I. Smizik	*15th Norfolk*
Walter F. Timilty	*7th Norfolk*

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HOUSE . . . . . No. 2370

By Mr. Kocot of Northampton, a petition (accompanied by bill, House, No. 2370) of Peter V. Kocot and others relative to biomass facilities and solid waste combustion. Public Health.

The Commonwealth of Massachusetts

An Act relative to biomass facilities and solid waste combustion.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 159 of chapter 111 of the General Laws is hereby amended by adding at the end thereof the following: -"The department shall prohibit the transport to and combustion of construction debris or any other combustible materials treated with compounds containing arsenic, lead, cadmium, asbestos or any other substance determined to be a carcinogen by the Environmental Protection Agency, in biomass-fueled facilities that produce electricity for sale to the regional power grid.

SECTION 2. The department of public health shall conduct a public health impact analysis of each proposed biomass-fueled electricity generating facility in the Commonwealth, rated to consume more than one ton of combustible material per hour, including, but not limited to, an analysis of the impact of said facility on of said cancer and asthma rates within a twenty mile distance from each proposed facility. Said impact reports shall be completed and copies provided to the House and Senate clerks 120 days prior to the final action of the MEPA unit of the Executive Office of Energy and Environmental Affairs on the Environmental Impact Report on the application of any proposed biomass combustion facility rated to consume more than one ton of combustible material per hour.

SECTION 3. The MEPA unit of the Executive Office of Environmental Affairs shall require that the proponents or applicants for state approval of operation of each proposed biomass-fueled electricity producing facility rated to consume more than one ton of combustible material per hour, complete a full Environmental Impact Report, pursuant to the laws and regulations of said agency, and satisfy the conditions determined by said agency prior to approval of any permits for operation of said facility.