

**HOUSE . . . . . No. 706**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Sean Garballey***

*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 adoption of the accompanying bill:

**An Act to regulate the incineration of solid waste.**

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Sean Garballey</i>	<i>23rd Middlesex</i>
<i>Peter V. Kocot</i>	<i>1st Hampshire</i>
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>
<i>Tom Sannicandro</i>	<i>7th Middlesex</i>
<i>Lori A. Ehrlich</i>	<i>8th Essex</i>
<i>Brian R. Mannal</i>	<i>2nd Barnstable</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Denise Andrews</i>	<i>2nd Franklin</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>
<i>Gloria L. Fox</i>	<i>7th Suffolk</i>
<i>Daniel B. Winslow</i>	<i>9th Norfolk</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>
<i>Cory Atkins</i>	<i>14th Middlesex</i>
<i>John W. Scibak</i>	<i>2nd Hampshire</i>
<i>Thomas P. Conroy</i>	<i>13th Middlesex</i>

**HOUSE . . . . . No. 706**

By Mr. Garballey of Arlington, a petition (accompanied by bill, House, No. 706) of Sean Garballey and others relative to prohibiting additional incineration of solid waste materials. Environment, Natural Resources and Agriculture.

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 226 OF 2011-2012.]

**The Commonwealth of Massachusetts**

**In the Year Two Thousand Thirteen**

An Act to regulate the incineration of solid waste.

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

1 SECTION 1. Section 150A of Chapter 111 of the General Laws, as appearing in the 2006  
2 Official Edition, is hereby amended by adding the following paragraphs:—

3 No site in any city or town shall be assigned as a new site, or for the expansion of an  
4 existing site of a facility for the combustion, incineration, thermal conversion, or gasification of  
5 municipal solid waste or construction and demolition debris, or a resource recovery facility,  
6 which is rated by the department at more than one ton of refuse per hour.

7 The department shall not grant a permit for a facility, or for the expansion of an existing  
8 facility for the combustion, incineration, thermal conversion, or gasification of municipal solid  
9 waste or construction and demolition debris, or a resource recovery facility, which is rated by the  
10 department at more than one ton of refuse per hour.

11 SECTION 2. Said chapter 111 is hereby amended by inserting after section 150B the  
12 following section:-

13 Section 150C

14 In sections one hundred fifty C, the following definitions shall, have the following  
15 meaning:

16           “Incineration” - oxidation of solid waste by any means, including burning, thermal  
17 conversion, pyrolysis, gasification, torrefaction or any other process which either causes thermal  
18 conversion, rapid oxidation, or converts said material to a gaseous, liquid, or solid fuel that is to  
19 be burned at the site where the conversion takes place, or in another location

20           “Anaerobic Digestion” – a series of processes in which microorganisms break down  
21 biodegradable material in the absence of oxygen.

22           (A) The Department shall not approve, issue, or extend any permits for incineration of  
23 municipal solid waste or construction and demolition debris which extend past April 22, 2024.

24           (B) The Department shall revoke any permits for incineration which extend past April 22,  
25 2024

26           (C) Nothing in this Section shall prohibit the establishment and permitting of facilities  
27 which utilize Anaerobic Digestion

28           SECTION 3. This act shall take effect upon its passage.