

HOUSE No. 725

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act to Prohibit the Additional 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 further amended by adding the following paragraphs:—

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

7 The department shall not grant a permit for a facility or 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. Chapter 16 of the General Laws, as appearing in the 2006 Official Edition,
12 is hereby amended by striking the second paragraph of section 21 and inserting in its place
13 thereof the following:—

14 The comprehensive statewide master plan referred to herein shall describe, to the
15 maximum practicable extent, a short and long-range plan for reduction of the per capita
16 generation of solid waste throughout the commonwealth, the solid waste programs and facilities
17 which the department determines to be necessary or convenient to promote the reduction of
18 waste generation and to increase recycling of solid waste in a manner which protects the public
19 health, safety and environment and is financially sound, and the funding for the development of
20 such facilities and programs which the department finds to be reasonable necessary to
21 accomplish said purposes.

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