

HOUSE No. 824

The Commonwealth of Massachusetts

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In the Year Two Thousand Nine
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An Act To Require Recycling in Public Buildings..

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

1 Chapter 21A of the General Laws, as appearing in the 2004
2 Official Edition, is hereby amended by inserting after section 20
3 the following new section:—
4 Section 21. (a) As used in this section the following words shall
5 have the following meanings:—
6 “Agency”, any state agency, state authority, state higher education
7 facility or state office.
8 “Cathode ray tubes”, any intact, broken, or processed glass tube
9 used to provide the visual display in televisions, computer monitors
10 and certain scientific instruments such as oscilloscopes.
11 “Court”, any trial court department, appeals court and the

12 supreme judicial court.

13 “Construction and demolition”, asphalt pavement, brick, wood,
14 metal and concrete from construction activities and demolition of
15 buildings, roads and bridges and similar sources.

16 “Glass Containers”, glass bottles and jars (soda-lime glass) but
17 excluding light bulbs, Pyrex cookware, plate glass, drinking
18 glasses, windows, windshields and ceramics.

19 “Fluorescent lamp”, an electric lamp to which the manufacturer
20 intentionally introduces mercury for the operation of the lamp,
21 including , but not limited to fluorescent, compact fluorescent,
22 black lights, high intensity discharge lamps, ultraviolet lamps and
23 neon lamps.

24 “Lead Batteries”, lead-acid batteries used in motor vehicles or
25 stationary applications.

26 “Metal Containers”, aluminum, steel or bi-metal beverage and
27 food containers.

28 “Recyclable paper”, all paper, corrugated cardboard, and paperboard

29 products, except tissue paper, toweling, paper plates and
30 cups, wax-coated corrugated cardboard, and other low-grade
31 paper products.

32 “Single polymer plastics”, all narrow-neck plastic containers
33 where the diameter of the mouth of the container is less than the
34 diameter of the body of the container. This includes single polymer
35 plastic containers labeled 1-6.

36 “State Sustainability Program”, State Sustainability Program
37 within executive office of environmental affairs.

38 “Tires”, a continuous solid or pneumatic rubber covering intended
39 for use on a motor vehicle.

40 “White goods”, appliances employing electricity, oil, natural
41 gas or liquefied petroleum gas to preserve or cook food; wash or
42 dry clothing, cooking or kitchen utensils or related items; or to
43 cool or to heat air or water, including, but not limited to, refrigerators,
44 freezers, air conditioners, water coolers, dishwashers, clothes
45 washers, clothes dryers, gas or electric ovens and ranges, and hot

46 water heaters. White goods do not include microwave ovens.

47 “Yard Waste”, deciduous and coniferous seasonal depositions,
48 such as leaves, grass clippings, weeds, hedge clippings, garden
49 materials, and brush 1 (one) inch or less in diameter (excluding
50 diseased plants).

51 (b) By January 1, 2010, every agency and court, individually or
52 in conjunction with other agencies or courts, and the General
53 Court shall recycle the following materials: lead batteries, metal
54 containers, glass containers, single polymer plastics, recyclable
55 paper, yard waste, tires, white goods, fluorescent lamps, cathode
56 ray tubes or the product that contains the cathode ray tube and
57 construction and demolition material.

58 (c) The State Sustainability Program shall provide recycling
59 guidance to establish and implement a waste generation and recyclable
60 material generation reporting system for agencies, courts
61 and the General Court. Agencies and courts with more than 50
62 employees located in a state owned building and the General

63 Court shall be required to submit said reports. In the event an
64 agency or court is located in a facility where the waste management
65 is handled by another agency or court, the agency or court
66 responsible for waste management shall be responsible for submitting
67 said reports Said reports shall, where feasible, include, but
68 not be limited to the following:

69 (1) Tonnage of solid waste generated by the agency, court or
70 General Court; and

71 (2) Tonnage of waste recycled by agency, court or General
72 Court; and

73 (3) A breakdown of the tonnage of materials in subsection (b).

74 Said reports shall be submitted to the State Sustainability Program
75 at least annually.

76 (d) Every lease agreement entered into by an agency or court after
77 the effective date of this section shall contain a provision that
78 requires recycling pursuant to the terms of this act, and, where feasible,
79 requires the landlord to report on agency or court waste generation

80 and recycling data pursuant to section (c) of this act.

81 (e) The executive office of environmental affairs may promulgate

82 rules and regulations regarding this act.