

**HOUSE . . . . . No. 226**

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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 prohibit the additional incineration of solid waste.**

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>1/19/2011</i>
<i>Denise Andrews</i>	<i>2nd Franklin</i>	<i>2/4/2011</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>2/4/2011</i>
<i>James B. Eldridge</i>		<i>2/3/2011</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>	<i>2/3/2011</i>
<i>Alice Hanlon Peisch</i>	<i>14th Norfolk</i>	<i>2/4/2011</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>	<i>2/4/2011</i>
<i>John W. Scibak</i>	<i>2nd Hampshire</i>	<i>2/2/2011</i>
<i>Stephen Stat Smith</i>	<i>28th Middlesex</i>	<i>2/4/2011</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>2/3/2011</i>
<i>Cleon H. Turner</i>	<i>1st Barnstable</i>	<i>2/4/2011</i>

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By Mr. Garballey of Arlington, a petition (accompanied by bill, House, No. 226) of Sean Garballey and others prohibiting additional incineration of solid waste materials. Environment, Natural Resources and Agriculture.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 725 OF 2009-2010.]

**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Eleven**  
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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.