

SENATE No. 2074

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to renewable energy generation on closed landfills.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to encourage investment in renewable energy generation across the commonwealth, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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 9H of chapter 723 of the acts of 1983 is hereby amended by striking
2 out, in lines 1 and 6, the words “quality engineering”, and inserting in place thereof, in each
3 instance, the following word:- protection

4 SECTION 2. Said section 9H of said chapter 723 is hereby further amended by inserting
5 after the word “recreation”, in line 9, the following words:- or renewable energy,
6 notwithstanding any rule or regulation to the contrary, in accordance with a permit issued by said
7 department pursuant to 310 CMR 19.000.

8 SECTION 3. Section 2 shall apply to any closed landfills so that the parties to any deed
9 restriction existing on the effective date of this act may amend it to allow for renewable energy
10 use.