

**SENATE . . . . . No. 1004**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Sal N. DiDomenico***

*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 regulating the incineration of solid waste.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>
<i>Carlos Henriquez</i>	<i>5th Suffolk</i>
<i>Michael J. Barrett</i>	<i>Third Middlesex</i>
<i>Lori A. Ehrlich</i>	<i>8th Essex</i>
<i>Gloria L. Fox</i>	<i>7th Suffolk</i>
<i>Benjamin Swan</i>	<i>11th Hampden</i>

**SENATE . . . . . No. 1004**

By Mr. DiDomenico, a petition (accompanied by bill, Senate, No. 1004) of Sal N. DiDomenico, Carlos Henriquez, Michael Barrett, Lori A. Ehrlich and other members of the General Court for legislation to regulate the incineration of solid waste. Public Health.

**The Commonwealth of Massachusetts**

**In the Year Two Thousand Thirteen**

An Act regulating 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 2010  
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. (a) In section 150C, the following definitions shall have the following  
14 meanings:

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

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

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

23           (c) The Department shall revoke any permits for incineration which extend past April 22,  
24 2024.

25           (d) Nothing in this section shall prohibit the establishment and permitting of facilities  
26 which utilize anaerobic digestion.

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