

SENATE No. 2336

The Commonwealth of Massachusetts

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In the Year Two Thousand Fourteen
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SENATE, Thursday, July 31, 2014

The committee on Ways and Means, to whom was referred the Senate relative to recycling (Senate, No. 389),- reports, recommending that the same ought to pass with an amendment substituting a new draft with the same title (Senate, No. 2336).

For the committee,
Stephen M. Brewer

The Commonwealth of Massachusetts

In the Year Two Thousand Fourteen

An Act relative to recycling.

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. The commissioner of environmental protection shall establish performance
2 standards for the reduction of municipal solid waste, as described in section 2, to achieve the
3 purposes of the commonwealth's solid waste master plan and greenhouse gas reduction plan and
4 to protect the natural environment, preserve resources, achieve progress toward the
5 commonwealth's goals to reduce greenhouse gases and create green jobs in the commonwealth.
6 The performance standards shall be promulgated by July 1, 2015.

7 SECTION 2. The department of environmental protection shall establish performance
8 standards for municipal solid waste reduction on the basis of pounds per capita of solid waste
9 disposed. The standards shall reduce solid waste to not more than 600 pounds per capita by July
10 1, 2016 and not more than 450 pounds per capita by July 1, 2021.

11 SECTION 3. Not later than October 1, 2015, the secretary of energy and environmental
12 affairs, in consultation with the department of environmental protection and the department of
13 energy resources, shall develop a municipal solid waste standards action plan to assist
14 municipalities in achieving the standards set forth in this act. The secretary shall review the

15 effectiveness of existing recycling programs and other incentives available to achieve said
16 standards and shall provide any recommendation including, but not limited to, potential
17 regulatory and statutory changes to the commonwealth's solid waste master plan, the 2020 Clean
18 Energy and Climate Plan and the commonwealth's Green Communities Plan. The secretary shall
19 consult with the solid waste advisory committee in developing said plan.

20 SECTION 4. Cities and towns shall report to the department of environmental protection
21 not later than September 1 of each year the total weight of solid waste disposed of through said
22 city or town's solid waste program during the prior fiscal year, as well as the number of
23 households and residents who participated in said program. If the department makes a
24 determination that a city or town has not met the municipal solid waste reduction performance
25 standards as prescribed by the department by July 1, 2016, said city or town shall submit a report
26 to the department setting forth the reasons the town did not meet the standards and detailing a
27 plan to achieve said performance standards by July 1, 2021. The department shall issue a report
28 for all municipal solid waste programs not later than December 1 of that year providing per
29 capita solid waste disposal statistics for all municipal solid waste programs and shall file the
30 same with the clerks of the senate and house of representatives and the joint committee on
31 environment, natural resources and agriculture. The report may disaggregate solid waste tonnage
32 information to highlight categories of waste including waste that is beyond the control of a city
33 or town such as waste created as a result of a natural disaster.