

**SENATE . . . . . No. 2308**

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The Commonwealth of Massachusetts

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In the One Hundred and Eighty-Ninth General Court  
(2015-2016)  
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SENATE, Thursday, June 2, 2016

The committee on Ways and Means, to whom was referred the Senate Bill relative to recycling (Senate, No. 454),-- reports, recommending that the same ought to pass with an amendment substituting a new draft with the same title (Senate, No. 2308).

For the committee,  
Karen E. Spilka

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## The Commonwealth of Massachusetts

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In the One Hundred and Eighty-Ninth General Court  
(2015-2016)  
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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 solid waste master plan and greenhouse gas reduction plan and to protect the  
4 natural environment, preserve resources, achieve progress toward the commonwealth's goals to  
5 reduce greenhouse gases and create green jobs in the commonwealth. The performance standards  
6 shall be promulgated by July 1, 2017.

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, 2018 and not more than 450 pounds per capita by July 1, 2022.

11           SECTION 3. Not later than December 1, 2017, 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 these  
16 standards and shall make any recommendations available to the public on the website of the  
17 executive office of energy and environmental affairs. Recommendations may include, but shall  
18 not be limited to, potential regulatory or statutory changes to the solid waste master plan, the  
19 Clean Energy and Climate Plan for 2020 or the green communities program. The secretary shall  
20 consult with the solid waste advisory committee in developing the plan.

21 SECTION 4. Each city and town shall report to the department of environmental  
22 protection annually, by not later than September 1, the total weight of solid waste disposed of  
23 through the solid waste program of the city or town during the prior fiscal year, as well as the  
24 number of households and residents who participated in the program. If the department makes a  
25 determination that a city or town has not met the municipal solid waste reduction performance  
26 standards as prescribed by the department by July 1, 2018, that city or town shall submit a report  
27 to the department setting forth the reasons that the town did not meet the standards and detailing  
28 a plan to achieve the performance standards by July 1, 2022. The department shall issue a report  
29 on the municipal solid waste programs not later than December 1 of that year that provides per  
30 capita solid waste disposal statistics for the municipal solid waste programs and shall file the  
31 report with the clerks of the senate and house of representatives and the senate and house chairs  
32 of the joint committee on environment, natural resources and agriculture. The report may  
33 disaggregate solid waste tonnage information to highlight categories of waste, including waste  
34 that is beyond the control of a city or town such as waste created as a result of a natural disaster.