

**HOUSE . . . . . No. 3245**

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The Commonwealth of Massachusetts

PRESENTED BY:

*Peter V. Kocot*

*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 relative to biomass facilities and solid waste combustion.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Peter V. Kocot</i>	<i>1st Hampshire</i>	<i>1/20/2017</i>
<i>Carlos González</i>	<i>10th Hampden</i>	<i>2/1/2017</i>

**HOUSE . . . . . No. 3245**

By Mr. Kocot of Northampton, a petition (accompanied by bill, House, No. 3245) of Peter V. Kocot and Carlos Gonzalez relative to biomass facilities and solid waste combustion. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 2004 OF 2015-2016.]

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninetieth General Court  
(2017-2018)**

An Act relative to biomass facilities and solid waste combustion.

*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 159 of chapter 111 of the General Laws is hereby amended by  
2 adding at the end thereof the following: -"The department shall prohibit the transport to and  
3 combustion of construction debris or any other combustible materials treated with compounds  
4 containing arsenic, lead, cadmium, asbestos or any other substance determined to be a  
5 carcinogen by the Environmental Protection Agency, in biomass-fueled facilities that produce  
6 electricity for sale to the regional power grid."

7 SECTION 2. The department of public health shall conduct a public health impact  
8 analysis of each proposed biomass-fueled electricity generating facility in the Commonwealth,  
9 rated to consume more than one ton of combustible material per hour, including, but not limited  
10 to, an analysis of the impact of said facility on cancer and asthma rates within a twenty mile

11 distance from each proposed facility. Said impact reports shall be completed and copies  
12 provided to the House and Senate clerks 120 days prior to the final action of the MEPA unit of  
13 the Executive Office of Energy and Environmental Affairs on the Environmental Impact Report  
14 related to the application of any proposed biomass combustion facility rated to consume more  
15 than one ton of combustible material per hour.

16 SECTION 3. The MEPA unit of the Executive Office of Environmental Affairs shall  
17 require that the proponents or applicants for state approval of operation for each proposed  
18 biomass-fueled electricity producing facility rated to consume more than one ton of combustible  
19 material per hour, complete a full Environmental Impact Report, pursuant to the laws and  
20 regulations of said agency, and satisfy the conditions determined by said agency prior to  
21 approval of any permits for operation of said facility.