

**HOUSE . . . . . No. 414**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Michael S. Day*

*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 to increase access to recycling.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Michael S. Day</i>	<i>31st Middlesex</i>
<i>Ruth B. Balser</i>	<i>12th Middlesex</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>José F. Tosado</i>	<i>9th Hampden</i>

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By Mr. Day of Stoneham, a petition (accompanied by bill, House, No. 414) of Michael S. Day and others for legislation to increase access to recycling in the Commonwealth. Environment, Natural Resources and Agriculture.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 647 OF 2015-2016.]

**The Commonwealth of Massachusetts**

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

An Act to increase access 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           “Recyclable” or “Recyclable Material” means a material that has the potential to be  
2 recycled and which is pre-sorted Such materials shall include but are not limited to: 1)  
3 containers, films and wraps made from metal, glass, plastic or paper and 2) newspaper, office  
4 paper, cardboard and other grades of paper.

5           “Recycle” or “Recycling” means to recover materials or by-products which are: reused,  
6 used as an ingredient or a feedstock in an industrial or manufacturing process to make a  
7 marketable product: or use in a particular function or application as an effective substitute for a  
8 commercial product or commodity. “Recycle” or “Recycling” does not mean to recover energy  
9 from the combustion of material.

10           Recyclable or Recyclable Material means a material that has the potential to be recycled  
11   and

12           which is pre-sorted. Recyclable material includes biodegradable paper, but does not  
13   include:

14           (a) organic materials that will be composted or converted; or

15           (b) construction and demolition waste unless it has been separated and kept separate into  
16           at least the following categories: asphalt, brick and concrete; ceiling tiles; wood; metals;  
17           plaster and wallboard; roofing materials; and carpet.

18           Recycle or Recycled means to recover materials or by-products which will be:

19           (a) reused;

20           (b) used as an ingredient or a feedstock in an industrial or manufacturing process to make  
21           a marketable product; or

22           (c) used in a particular function or application as an effective substitute for a commercial  
23           product or commodity.

24           Recycle does not mean to recover energy from the combustion of a material or to create a  
25   fuel.

26           Recycle does not include composting or conversion.

27           Restricted Material means any material subject to a waste restriction at a solid waste

28 management facility pursuant to 310 CMR 19.017(3).

29 Post-consumer Recyclables means the following materials which have served their  
30 intended end

31 use and have been pre-sorted:

32 (a) containers, films and wraps and other forms of packaging made from metal, glass,  
33 plastic or paper; and

34 (b) newspaper, office paper, cardboard and other grades of paper.

35 “Transport” means the movement, by vessel or carrier, of solid waste from the point of  
36 generation to ultimate disposal, or any intermediate point for storage, reuse, treatment, or  
37 recycling.

38 Chapter 21H of the General Law is hereby amended by inserting the following section  
39 after Section 8.

40 SECTION 9: In order to reduce solid waste and its associated management and disposal  
41 costs, protect the environment and provide citizens increased access to recycling, all cities and  
42 towns in the Commonwealth providing curbside waste removal are required to also provide  
43 curbside pickup of recyclable material. All cities and towns in the Commonwealth providing a  
44 site or facility for waste drop-off are required to offer recycling at that site or facility.

45 All materials set aside for recycling or placed in recycling containers shall be delivered to  
46 recycling facilities. No person who transports solid waste shall knowingly mix recyclable  
47 materials with solid waste destined for a solid waste transfer station or disposal facility. No

48 person who transports solid waste shall knowingly transport recyclable materials, whether mixed  
49 with solid waste or pre-sorted, to a solid waste disposal facility or to a solid waste transfer  
50 station.

51 All persons providing solid waste collection services in the Commonwealth of  
52 Massachusetts shall also provide: single stream or dual stream recycling collection services to all  
53 of their Massachusetts single-family and multi-family residential customers and all of their  
54 commercial customers, including delivery of a container or containers for the purpose of storage  
55 and collection of recyclables that is adequately sized for the customer's use such that recycling is  
56 encouraged and disposal of recyclables is discouraged. The recyclables collection service shall  
57 be provided at a frequency of not less than once every other week.