HOUSE DOCKET, NO. 1721 FILED ON: 1/17/2019

HOUSE . . . . . No. 747

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:	DATE ADDED:
Michael S. Day	*31st Middlesex*	*1/17/2019*
Aaron Vega	*5th Hampden*	*1/24/2019*
Bud L. Williams	*11th Hampden*	*1/31/2019*
Mathew J. Muratore	*1st Plymouth*	*1/31/2019*
RoseLee Vincent	*16th Suffolk*	*1/31/2019*
Denise Provost	*27th Middlesex*	*1/31/2019*
Brian M. Ashe	*2nd Hampden*	*1/31/2019*
David M. Rogers	*24th Middlesex*	*1/31/2019*
Ruth B. Balser	*12th Middlesex*	*1/31/2019*
Jonathan Hecht	*29th Middlesex*	*2/1/2019*
Danielle W. Gregoire	*4th Middlesex*	*2/1/2019*
Natalie M. Higgins	*4th Worcester*	*2/1/2019*

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By Mr. Day of Stoneham, a petition (accompanied by bill, House, No. 747) of Michael S. Day and others for legislation to increase access to recycling in the Commonwealth. Environment, Natural Resources and Agriculture.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *414* OF 2017-2018.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-First General Court
(2019-2020)

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:

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

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

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

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

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

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

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

(a) reused;

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

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

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

Recycle does not include composting or conversion.

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

management facility pursuant to 310 CMR 19.017(3).

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

use and have been pre-sorted:

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

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

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

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

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

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

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

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