

HOUSE No. 875

The Commonwealth of Massachusetts

PRESENTED BY:

Michael J. Soter

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 regarding soil reclamation safety oversight.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Michael J. Soter</i>	<i>8th Worcester</i>	<i>1/17/2019</i>
<i>Ryan C. Fattman</i>	<i>Worcester and Norfolk</i>	<i>1/31/2019</i>
<i>Shawn Dooley</i>	<i>9th Norfolk</i>	<i>1/27/2019</i>
<i>Joseph D. McKenna</i>	<i>18th Worcester</i>	<i>1/31/2019</i>
<i>Alyson M. Sullivan</i>	<i>7th Plymouth</i>	<i>1/29/2019</i>

HOUSE No. 875

By Mr. Soter of Bellingham, a petition (accompanied by bill, House, No. 875) of Michael J. Soter and others relative to testing for soil used as fill material for certain reclamation projects. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

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

An Act regarding soil reclamation safety oversight.

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. Chapter 21E of the of the General Law, as appearing in the 2016 Official
2 Edition, is hereby amended by adding at the following new section:-

3 Section 6A. As used in this section, the term “reclamation project” shall mean the filling
4 of quarries, sand pits, gravel pits or similar areas.

5 The department may require that soil which is used as fill material for reclamation
6 projects, pursuant to section 277 of chapter 165 of the Acts of 2014, be tested prior to delivery,
7 in-transit and upon delivery to the site of said reclamation project and may not contain oil or
8 waste at concentrations qualifying as a contaminated soil, as defined in 310 CMR 40.0006. Prior
9 to the commencement the dumping, disposing or reuse of soil at a reclamation site, the
10 department shall conduct groundwater testing within a two-mile radius of said reclamation site
11 and establish standards for which groundwater may not exceed under an Administrative Consent

12 Order. Any inspections agreed upon in an Administrative Consent Order shall be paid for by the
13 approved reclamation site owner or operator.

14 If the soil or groundwater samples tested fail to meet the standards of this section, the
15 owner or operator of the reclamation site must notify the department, who will assume all
16 responsibilities for the site. The department may promulgate rules and regulations in order to
17 comply with this section.