

HOUSE No. 3652

The Commonwealth of Massachusetts

PRESENTED BY:

Carole A. Fiola

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 certain recycling and waste disposal facilities.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Carole A. Fiola</i>	<i>6th Bristol</i>	<i>1/17/2019</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>	<i>3/25/2019</i>
<i>Paul A. Schmid, III</i>	<i>8th Bristol</i>	<i>1/18/2019</i>
<i>Alan Silvia</i>	<i>7th Bristol</i>	<i>1/19/2019</i>

HOUSE No. 3652

By Ms. Fiola of Fall River, a petition (accompanied by bill, House, No. 3652) of Carole A. Fiola and others relative to certain recycling and waste disposal facilities. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

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

An Act relative to certain recycling and waste disposal facilities.

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 142A of chapter 111 of the General Laws, as appearing in the 2016
2 Official Edition, is hereby amended by adding the following paragraph:-

3 The department shall suspend or revoke any permit or plan issued hereunder for any
4 corporation, person or other entity that is required, in order to legally operate, to obtain a license,
5 permit or other approval from the municipality in which it operates, and for which such
6 municipal license, permit or approval has been suspended or revoked. The municipality in which
7 the corporation, person or other entity operates shall send the department written notice of such
8 suspension or revocation, and the department shall notify said corporation, person or other entity
9 that the department permit or plan has been suspended or revoked until the municipal approval is
10 reinstated or otherwise resolved. This paragraph shall not apply to any permit or plan required by
11 federal law.

12 SECTION 2. The definition of “Facility” in section 150A of said chapter 111, as so
13 appearing, is hereby amended by inserting after the word “refuse”, in line 9, the following
14 words:- , a scrap recycling facility as defined in section 2 of chapter 21H, or any facility for
15 shredding automobiles, feedstock or metals, or disposing of refuse, scrap metal or byproducts of
16 scrap metal recycling, shredding, or dismantling.

17 SECTION 3. A municipality that has suspended or revoked a license, permit or approval
18 required for any corporation, person or other entity to operate, where said corporation, person or
19 other entity has also been issued a permit or plan by the department of environmental protection
20 pursuant to section 142A of chapter 111 of the General Laws, shall notify the department of such
21 suspension or revocation as required in said section 142A within 30 days of the effective date of
22 this act. The department shall, upon receiving notice from the municipality of such suspension
23 or revocation pursuant to this section, suspend or revoke any permit or plan issued pursuant to
24 said section 142A for any such corporation, person or other entity whose required municipal
25 license, permit or other approval has been suspended or revoked.

26 SECTION 4. A scrap recycling facility or any facility disposing of refuse, scrap metal or
27 byproducts of scrap metal recycling, shredding or dismantling that is currently operating in the
28 commonwealth shall comply with the site assignment requirements of section 150A of chapter
29 111 of the General Laws, as amended by section 2, within 180 days of the effective date of this
30 act.