

HOUSE No. 998

The Commonwealth of Massachusetts

PRESENTED BY:

John J. Mahoney

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 reform the Toxics Use Reduction Act.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>John J. Mahoney</i>	<i>13th Worcester</i>	<i>1/15/2025</i>

HOUSE No. 998

By Representative Mahoney of Worcester, a petition (accompanied by bill, House, No. 998) of John J. Mahoney for legislation to further regulate toxic use reduction plans. Environment and Natural Resources.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 857 OF 2023-2024.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act to reform the Toxics Use Reduction Act.

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 11(A)(1) of chapter 21I of the General Laws, as appearing in the
2 2022 Official Edition, is hereby amended by striking out the first sentence and inserting in place
3 thereof the following sentence:- “On a schedule to be established by the department, but no more
4 frequently than once every six years or when a new toxic substance is first used at a facility, and
5 in either case on an even-numbered year, each large quantity toxics users shall prepare and
6 complete a toxics use reduction plan for each facility for which they are required to file a report
7 in that year.”

8 SECTION 2. Section 11(D) of said chapter 21I of the General Laws, as so appearing, is
9 hereby further amended by striking out the words, “by July 1, two years after the first plan, and

10 then according to the schedule specified by the department” and inserting in place thereof the
11 following words:- “by July 1, two years after the first plan, and then every six years”.

12 SECTION 3. Section 11(F) of said chapter 21I of the General Laws, as so appearing, is
13 hereby further amended by striking out the first sentence and inserting in place thereof the
14 following sentence:- “Large quantity toxics users shall file a plan summary with the department
15 on or before July 1 of the year in which a toxics use reduction plan is due.”

16 SECTION 4. Section 12(C) of said chapter 21I of the General Laws, as so appearing, is
17 hereby amended by striking out the first sentence and inserting in place thereof the following
18 sentence:- “Certification shall be for not more than six years and shall be renewable for
19 additional six-year periods.”

20 SECTION 5. Said section 12(C) of said chapter 21I, as so appearing, is hereby further
21 amended by adding after the last sentence the following sentences:-

22 “The continuing education requirement for initial recertification and renewal shall not
23 exceed 45 hours per certification period for individuals certified pursuant to subsection 12(A).
24 The continuing education requirement for initial recertification and renewal shall not exceed 36
25 hours per certification period for individuals certified pursuant to subsection 12(B). The
26 continuing education requirement for subsequent recertification and renewal shall not exceed 36
27 hours per certification period for individuals certified pursuant to subsection 12(A). The
28 continuing education requirement for subsequent recertification and renewal shall not exceed 30
29 hours per certification period for individuals certified pursuant to subsection 12(B).”

30 SECTION 6. Section 19 of said chapter 21I of the General Laws, as so appearing, is
31 hereby amended by inserting after subsection (H) the following subsection:-

32 (I) The requirements to pay any fees under this Section 19 shall not be applicable to any
33 use of a toxic substance that is mandated by law, regulation, drug or other product registration,
34 design specification of a United States governmental authority including, but not limited to, the
35 United States Armed Services, Department of Homeland Security or other similar United States
36 Governmental authority, or any other legally enforceable requirement.

37 A toxics user shall demonstrate the applicability of the exemption by providing an
38 affidavit identifying, to the extent permitted under applicable national security and
39 confidentiality requirements, the governmental body whose law, regulation, registration or
40 specification requires the use of the toxic substance.