

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Jessica Ann Giannino and Jeffrey Rosario Turco

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 solid waste byproduct management and control.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Jessica Ann Giannino</i>	<i>16th Suffolk</i>	<i>1/17/2025</i>

HOUSE No.

[Pin Slip]

The Commonwealth of Massachusetts

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

An Act relative to solid waste byproduct management and control.

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 150A of Chapter 111 of the General Laws, as appearing in the 2018
2 Official Edition, is hereby amended by inserting after the fourth paragraph the following
3 paragraph:- The board of health of a city or town that is within one-half mile of a facility that is
4 being operated, maintained or expanded may adopt reasonable rules and regulations to protect
5 the public health from unnecessary or excessive noise; frequent and unwarranted smoke; and
6 obnoxious odors. Said board of health shall have the authority to issue reasonable orders,
7 citations and civil penalties for any violation of the board of health’s rules and regulations
8 relating to controlling such noise, smoke or obnoxious orders.

9 SECTION 2. (a) Section 150A1/2 of said chapter 111 of the General Laws, as so
10 appearing, is hereby amended by striking out clause (9) and inserting in place thereof the
11 following clause:-

12 (9) the potential for adverse impacts on air quality to include, frequent and unwarranted
13 smoke, and strong and obnoxious odors.

14 (b) Not later than 6 months after the effective date of this act, the department shall
15 promulgate or revise any such rules and regulations necessary to implement the provisions of this
16 section.

17 SECTION 3. (a) Said section 150A1/2 of said chapter 111 of the General Laws, as so
18 appearing, is hereby further amended by inserting the word “from”, in line 21, the following
19 word:- excessive

20 (b) Not later than 6 months after the effective date of this act, the department shall
21 promulgate or revise any such rules and regulations necessary to implement the provisions of this
22 section.

23 SECTION 4. (a) Section 150A1/2 of Chapter 111 of the General Laws, as appearing,
24 Official Edition, is hereby amended by adding the following subsections at the end of the
25 section:—

26 (18) the potential adverse impacts on municipalities containing Environmental Justice
27 Population, (defined as a neighborhood whose annual median household income is equal to or
28 less than 65 percent of the statewide median or whose population is made up 25 percent minority
29 or lacking English language proficiency), within one mile of the proposed site including the
30 potential adverse impacts on the considerations stated within this section for which site
31 suitability standards and criteria are established.

32 (19) the potential for the site to be impacted by anticipated sea level rise or coastal storm
33 surge associated with climate change.

34 (20) the proximity to and potential impacts of the site on designated Areas of Critical
35 Environmental Concern.

36 (b) Not later than 6 months after the effective date of this act, the department shall
37 promulgate or revise any such rules and regulations necessary to implement the provisions of this
38 section.

39 SECTION 5. (a) Notwithstanding any general or special law to the contrary, no new
40 landfill, monofill, or ash landfill shall be established in or adjacent to an area designated by the
41 commonwealth as an area of critical environmental concern pursuant to subsection (7) of section
42 2 of chapter 21A of the General Laws.

43 (b) Not later than 6 months after the effective date of this act, the department shall
44 promulgate or revise any such rules and regulations necessary to implement the provisions of this
45 section.

46 SECTION 6. (a) Notwithstanding any general or special law to the contrary, the facility
47 known as the WIN Waste Innovations Saugus Ash Landfill or Saugus Ash Monofill, 100 Salem
48 Turnpike, Saugus, Massachusetts, 01906, (“Ash Landfill”) shall cease all operations and begin
49 installing a final, permanent cap at the earliest of the following:

50 1. December 31, 2030.

51 2. Should the final two of the five drainage valleys (Valleys One and Two) of the Ash
52 Landfill as described in the Environmental Notification Form Saugus Ash Monofill, submitted
53 by WIN Waste Innovations Saugus to the Massachusetts Environmental Policy Act Office and
54 dated May, 2016, (the “ENF”) be filled to a 2% valley slope as described in the ENF. The area

55 proposed to be filled comprises 39 acres and 400,000 cubic yards of airspace according to the
56 ENF.

57 3. Should WIN Waste Innovations Saugus dispose of 450,000 tons of ash or other
58 material at the Ash Landfill beginning January 1, 2026.

59 (b) Not later than 6 months after the effective date of this act, the department shall
60 promulgate or revise any such rules and regulations necessary to implement the provisions of this
61 section.

62 SECTION 7. (a) Notwithstanding any general or special law to the contrary, the
63 department of environmental protection shall not approve or issue a license for a third burner at
64 the WIN Waste Innovations facility in the town of Saugus or any other solid waste disposal
65 process that would result in additional air emissions or ash disposal at the Saugus incinerator and
66 adjacent ash landfill on Route 107.

67 (b) Not later than 6 months after the effective date of this act, the department shall
68 promulgate or revise any such rules and regulations necessary to implement the provisions of this
69 section.