

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Jessica Ann Giannino

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 toxic air contaminant reduction.

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 toxic air contaminant reduction.

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 1 of Chapter 111 of the General Laws, as appearing in the 2018
2 Official Edition, is hereby by adding the following definitions:-

3 “Continuous automated sampling system” means the total equipment and procedures for
4 automated sample collection, sample recovery and analysis to determine an air contaminant
5 concentration or emission rate by collecting a single sample or multiple integrated samples of the
6 air contaminant for subsequent on- or off-site analysis.

7 “Continuous emissions monitoring system” means a monitoring system for continuously
8 measuring the emissions of an air contaminant from an incinerator.

9 “Dioxin/furan” means tetra- through octa-chlorinated dibenzo-p-dioxins and
10 dibenzofurans.

11 “Hospital, medical or infectious waste” means hospital waste or medical/infectious waste,
12 as defined in any general law or regulation in effect on the effective date of this act.

13 “Municipal solid waste incinerator” means any facility operated before, on or after the
14 effective date of this act for the purpose of combusting municipal solid waste, regardless of
15 whether the facility is later reclassified as another type of waste combustion facility.

16 SECTION 2. (a) Section 150A of said chapter 111 of the General Laws, as so appearing
17 is amended by adding the following:-

18 “The owner or operator of a municipal solid waste incinerator shall develop a plan to
19 continuously monitor or sample emissions of the following: carbon monoxide and sulfur dioxide
20 and nitrogen oxides and opacity and PCB and dioxin/furan and cadmium and lead and mercury
21 and arsenic and total chromium and manganese and nickel and selenium and zinc.

22 (b) Where technologically feasible, the plan must provide for the use of a continuous
23 emissions monitoring system to monitor the air contaminants described in paragraph (a) of this
24 subsection.

25 (c) If it is not technologically feasible to use a continuous emissions monitoring system to
26 monitor an air contaminant described in paragraph (a) of this subsection, the plan must provide
27 for the use of a continuous automated sampling system to continuously sample that air
28 contaminant.”

29 (d) The plan must describe how the owner or operator will conduct continuous
30 monitoring or sampling required by this section for a period of 12 consecutive months; and make
31 emissions data available to the department and the public.”

32 (e) The owner or operator of a municipal solid waste facility must submit the plan
33 required by this section to the department no later than three months after the effective date of

34 this act. Before approving the plan, the department may make such modifications to the plan as
35 necessary to ensure the quality and accuracy of sampling or monitoring data.

36 (f) The owner or operator of a municipal solid waste incinerator must implement a plan
37 approved by the department no later than three months after the date of approval.”

38 (g) Notwithstanding subsection (e) of this section, the department may at the
39 department’s discretion, for good cause shown, extend the three-month deadlines for submitting
40 or implementing the plan required by this section.”

41 (h) A municipal solid waste incinerator may not combust more than 18,000 tons of
42 hospital, medical or infectious waste during a single calendar year.

43 (i) The department shall take all reasonable steps to ensure that any permit issued under
44 the federal operating permit program established under is modified to be consistent with section
45 3 of this act within 12 months of the effective date of this act.

46 (j) No later than one year after the effective date of this act, the department shall submit a
47 report on the progress made in implementing section 2 of this act, including data received by the
48 department, in the manner provided in regulation.

49 (k) No later than three months after the completion of the 12-month period required by
50 section 2 of this act, the department shall submit a report on the results of the continuous
51 monitoring or sampling conducted under section 2 of this act, in the manner provided in
52 regulation.”