

**SENATE . . . . . No. 346**

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The Commonwealth of Massachusetts

PRESENTED BY:

***Sal N. DiDomenico***

*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 prohibit the additional incineration of solid waste.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Sal N. DiDomenico</i>	<i>Middlesex, Suffolk, and Essex</i>
<i>Kathi-Anne Reinstein</i>	<i>16th Suffolk</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>
<i>James B. Eldridge</i>	
<i>Lori A. Ehrlich</i>	<i>8th Essex</i>
<i>Alice Hanlon Peisch</i>	<i>14th Norfolk</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>
<i>William N. Brownsberger</i>	
<i>Martha M. Walz</i>	<i>8th Suffolk</i>
<i>Michael O. Moore</i>	

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By Mr. DiDomenico, a petition (accompanied by bill, Senate, No. 346) of Sal N. DiDomenico, Kathi-Anne Reinstein, Thomas M. Stanley, James B. Eldridge and other members of the General Court for legislation to prohibit the additional incineration of solid waste. Environment, Natural Resources and Agriculture.

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The Commonwealth of Massachusetts

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In the Year Two Thousand Eleven  
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An Act to prohibit the additional incineration of solid waste.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to impose a moratorium on additional incineration of solid waste, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

*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  
2 2006 Official Edition, is hereby further amended by adding the following paragraphs: -

3 No site in any city or town shall be assigned as a site or the expansion of an existing site  
4 for a facility for the combustion, incineration, thermal conversion, or gasification of municipal  
5 solid waste or construction and demolition debris, including combustion for energy recovery,  
6 which is rated by the department at more than one ton of refuse per hour.

7 The department shall not grant a permit for a facility or the expansion of an existing  
8 facility for the combustion, incineration, thermal conversion, or gasification of municipal solid

9 waste or construction and demolition debris, including combustion for energy recovery, which is  
10 rated by the department at more than one ton of refuse per hour.

11 SECTION 2. Chapter 16 of the General Laws , as appearing in the 2006 Official Edition,  
12 is hereby amended by striking the second paragraph of section 21 and inserting in it s place  
13 thereof the following:

14 The comprehensive statewide master plan referred to herein shall describe, to the  
15 maximum practicable extent, a short and long-range plan for reduction of the per capita  
16 generation of solid waste throughout the commonwealth, the solid waste programs and facilities  
17 which the department determines to be necessary or convenient to promote the reduction of  
18 waste generation and to increase recycling of solid waste in a manner which protects the public  
19 health, safety and environment and is financially sound, and the funding for the development of  
20 such facilities and programs which the department finds to be reasonable necessary to  
21 accomplish said purposes.

22 SECTION 3. This act shall take effect upon its passage.