

HOUSE No. 00229

The Commonwealth of Massachusetts

PRESENTED BY:

Jay Kaufman

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 passage of the accompanying bill:

An Act to reduce solid waste in the Commonwealth..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Jay Kaufman</i>	<i>15th Middlesex</i>
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>
<i>George Ross</i>	<i>2nd Bristol</i>
<i>Frank I. Smizik</i>	<i>15th Norfolk</i>
<i>William N. Brownsberger</i>	<i>24th Middlesex</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>

HOUSE No. 00229

By Mr. Jay Kaufman of Lexington, petition (accompanied by bill, House, No. 00229) of George Ross and others for legislation to reduce solid waste in the Commonwealth. Joint Committee on Environment, Natural Resources and Agriculture.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
□ HOUSE
□ , NO. 756 OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act to reduce solid waste in the Commonwealth..

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. Chapter 21A of the General Laws, as appearing in the 2008 Official Edition, is
- 2 hereby amended by inserting after section 20 the following new sections:-
- 3 Section 21. Definitions. As used in sections 22 through 25 the following words shall have the
- 4 following meanings:-
- 5 "Agency", any state agency, state authority, state higher education facility or state office.
- 6 "Cathode ray tubes", any intact, broken, or processed glass tube used to provide the visual
- 7 display in televisions, computer monitors and certain scientific instruments such as
- 8 oscilloscopes.

9 "Commercial Establishment," any non-residential building, including, but not limited to, those
10 used for retail, wholesale, industrial, manufacturing, dining, offices, professional services,
11 automobile services, hotels and motels, restaurants, or shipping and receiving areas.

12 "Commissioner," the Commissioner of the Department of Environmental Protection.

13 "Construction and demolition", asphalt pavement, brick, wood, metal and concrete from
14 construction activities and demolition of buildings, roads and bridges and similar sources.

15 "Court", any trial court department, appeals court and the supreme judicial court.

16 "Department," the Department of Environmental Protection.

17 "Glass Containers", glass bottles and jars (soda-lime glass) but excluding light bulbs, Pyrex
18 cookware, plate glass, drinking glasses, windows, windshields and ceramics.

19 "Fluorescent lamp", an electric lamp to which the manufacturer intentionally introduces mercury
20 for the operation of the lamp, including, but not limited to fluorescent, compact fluorescent,
21 black lights, high intensity discharge lamps, ultraviolet lamps and neon lamps.

22 "Lead Batteries", lead-acid batteries used in motor vehicles or stationary applications.

23 "Metal Containers", aluminum, steel or bi-metal beverage and food containers.

24 "Public building," a building owned by the Commonwealth or any political subdivision thereof,
25 or in an enclosed indoor space occupied by a state agency or department of the commonwealth
26 which is located in a building not owned by the commonwealth.

27 "Recyclable paper", all paper, corrugated cardboard, and paperboard products, except tissue
28 paper, toweling, paper plates and cups, wax-coated corrugated cardboard, and other low-grade
29 paper products.

30 "Single polymer plastics", all narrow-neck plastic containers where the diameter of the mouth of
31 the container is less than the diameter of the body of the container. This includes single polymer
32 plastic containers labeled 1-6.

33 "State Sustainability Program", State Sustainability Program within the executive office of
34 environmental affairs.

35 "Tires", a continuous solid or pneumatic rubber covering intended for use on a motor vehicle.

36 "White goods", appliances employing electricity, oil, natural gas or liquefied petroleum gas to
37 preserve or cook food; wash or dry clothing, cooking or kitchen utensils or related items; or to
38 cool or to heat air or water, including, but not limited to, refrigerators, freezers, air conditioners,
39 water coolers, dishwashers, clothes washers, clothes dryers, gas or electric ovens and ranges, and
40 hot water heaters. White goods do not include microwave ovens.

41 "Yard Waste", deciduous and coniferous seasonal depositions, such as leaves, grass clippings,
42 weeds, hedge clippings, garden materials, and brush 1 (one) inch or less in diameter (excluding
43 diseased plants).

44 Section 22. Recycling in Public Buildings

45 (a) By January 1, 2013, every agency and court, individually or in conjunction with other
46 agencies or courts, the General Court, and all public buildings shall implement a program to
47 recycle the following materials: lead batteries, metal containers, glass containers, single polymer

48 plastics, recyclable paper, yard waste, tires, white goods, fluorescent lamps, cathode ray tubes or
49 the product that contains the cathode ray tube and construction and demolition material.

50 (b) The State Sustainability Program shall provide recycling guidance to establish and implement
51 a waste generation and recyclable material generation reporting system for agencies, courts, and
52 the General Court. Agencies and courts with more than 50 employees located in a state owned
53 building and the General Court shall be required to submit said reports to the State Sustainability
54 Program. In the event an agency or court is located in a facility where the waste management is
55 handled by another agency or court, the agency or court responsible for waste management shall
56 be responsible for submitting said reports. Said reports shall, where feasible, include, but not be
57 limited to the following:

58 (1) Tonnage of solid waste generated by the agency, court, General Court or public building;
59 and

60 (2) Tonnage of waste recycled by agency, court, General Court or public building; and

61 (3) A breakdown of the tonnage of materials recycled listed in subsection (a).

62 (c) Every lease agreement entered into by an agency or court after the effective date of this
63 section shall contain a provision that requires recycling pursuant to the terms of this act, and,
64 where feasible, requires the landlord to report on agency or court waste generation and recycling
65 data pursuant to section (b) of this act.

66 (d) The executive office of environmental affairs may promulgate rules and regulations regarding
67 this act.

68 Section 23. Public Recycling Bins

69 (a) Every municipality in the state shall provide recycling bins for metal containers,
70 single polymer plastics, and recyclable paper adjacent to at least half of the outdoor
71 public trash cans in that municipality. The municipality shall be responsible for collection and
72 proper delivery of the recycled materials in the recycling bins.

73 Section 24. Recycling in high traffic facilities.

74 (a) Facilities visited by at least five thousand individuals annually, including but not limited to
75 stadiums, arenas, marinas, airports, museums, and theatres, shall implement a program to recycle
76 metal containers, single polymer plastics, and recyclable paper.. The department shall
77 promulgate rules and regulations as necessary to effect the requirements set forth herein.

78 Said facilities shall provide recycling receptacles. for metal containers, single polymer plastics,
79 and recyclable paper. Said receptacles shall be located adjacent to each other and to at least half
80 of the public trash cans at the facilities. Receptacles shall be clearly indicated as for recycling of
81 metal containers, plastics, and paper.

82 The facility shall cause the recyclable contents of these receptacles to be transferred to
83 appropriate recycling facilities and done so with adequate frequency that contents of said
84 receptacle do not protrude above the highest point on said receptacles.

85 SECTION 2. MBTA Recycling.

86 Chapter 1611A of the General Laws is hereby amended by inserting after section 5(r), the
87 following:-

88 (s) To adopt, and revise as appropriate, a recycling program to provide newspaper recycling bins
89 adjacent to every trash receptacle at all mass transportation facilities where newspapers are sold
90 or distributed.