

HOUSE No. 858

The Commonwealth of Massachusetts

PRESENTED BY:

David M. Rogers

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 incentivize the reduction of residential waste disposal.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>David M. Rogers</i>	<i>24th Middlesex</i>
<i>RoseLee Vincent</i>	<i>16th Suffolk</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>
<i>Antonio F. D. Cabral</i>	<i>13th Bristol</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>

HOUSE No. 858

By Mr. Rogers of Cambridge, a petition (accompanied by bill, House, No. 858) of David M. Rogers and others relative to residential solid waste disposal and the implementation of mandatory reporting standards for cities and towns. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act to incentivize the reduction of residential waste disposal.

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. The [Commissioner of Commonwealth of Massachusetts’ Department of
2 Environmental Protection (“the Department”)] shall establish performance standards for the
3 reduction of residential municipal solid waste, as described below, to achieve the purposes of the
4 [Commonwealth’s Solid Waste Master Plan and Greenhouse Gas Reduction Plan] and to protect
5 the natural environment, preserve resources, achieve progress toward the [Commonwealth's]
6 goals to reduce greenhouse gases, save municipalities money, and create green jobs in the
7 commonwealth. The performance standards shall be promulgated by July 1, 2019.

8 SECTION 2. The Department shall establish performance standards for mandatory
9 reporting of residential municipal solid waste with the goal of the ultimate reduction of solid
10 waste on the basis of pounds per capita disposed for any resident who receives solid waste
11 services from the municipality. By June 30 of each year, the municipality shall report to the
12 Department as per standards set by the Commissioner all required waste data for the prior

13 calendar year. At a bare minimum, the municipality shall report how many tons of solid waste
14 were disposed of by served residential units, and the total population served. The first reports
15 shall be due from municipalities by June 30, 2020.

16 SECTION 3. If residents are disposing of more than 500 pounds per capita of waste per
17 year in a given municipality, that municipality shall be required to adopt a cost saving waste
18 reduction program within a year. That program may be any program that incentivizes waste
19 reduction or diversion and best complies with the Zero Waste International Alliance standard,
20 i.e., “The conservation of all resources by means of responsible production, consumption, reuse,
21 and recovery of all products, packaging, and materials, without burning them, and without
22 discharges to land, water, or air that threaten the environment or human health.”

23 SECTION 4. If the Department makes a determination that a city or town has not met the
24 municipal solid waste reporting or implementation standards prescribed by the Department by
25 July 1, 2021, that city or town shall submit a report to the department setting forth the reasons
26 that the town did not meet the standards and detailing a plan to achieve the performance
27 standards by September 30, 2021. The Department shall issue a report on the municipal solid
28 waste programs not later than December 1 of each year that provides per capita solid waste
29 disposal statistics for the municipal solid waste programs and shall file the report with the clerks
30 of the senate and house of representatives and the senate and house chairs of the joint committee
31 on environment, natural resources and agriculture. The report may disaggregate solid waste
32 tonnage information to highlight categories of waste, including waste that is beyond the control
33 of a city or town such as waste created as a result of a natural disaster.

34 SECTION 5. If the Department makes a determination that the cities and towns of the
35 Commonwealth have not reduced their residential waste per capita to less than 500 pounds on
36 average per person for all individuals served by residential municipal solid waste programs in the
37 Commonwealth by July 31, 2022, the Department shall be empowered to promulgate regulations
38 instituting a statewide program incentivizes waste reduction or diversion and best complies with
39 the Zero Waste International Alliance standard, i.e., “The conservation of all resources by means
40 of responsible production, consumption, reuse, and recovery of all products, packaging, and
41 materials, without burning them, and without discharges to land, water, or air that threaten the
42 environment or human health.” Furthermore, if future municipal reporting indicates that the
43 average residential solid waste disposed of per capita increases above 500 pounds per person per
44 year, the Commonwealth shall also promulgate regulations as described in this paragraph.