

HOUSE No. 01998

The Commonwealth of Massachusetts

PRESENTED BY:

Anne M. Gobi

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 reinstate the landfill moratorium.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Anne M. Gobi</i>	<i>5th Worcester</i>
<i>Todd M. Smola</i>	<i>1st Hampden</i>
<i>Geraldo Alicea</i>	<i>6th Worcester</i>

HOUSE No. 01998

By Ms. Gobi of Spencer, a petition (accompanied by bill, House, No. 1998) of Alicea and others that the Department of Environmental Protection be directed to reinstate the moratorium on the siting and permitting of solid waste landfills Joint Committee on Environment, Natural Resources and Agriculture.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
□ HOUSE
□ , NO. 735 OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act to reinstate the landfill moratorium.

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. Legislative findings. The legislature hereby finds and determines that solid
2 waste landfills potentially threaten public health by contaminating groundwater, polluting the air,
3 and despoiling the land. The legislature further finds and determines that the Massachusetts
4 Constitution, Article 97 of the Articles of Amendment, guarantees the right of Massachusetts
5 residents to clean air and water; and that to protect and preserve these rights the Commonwealth
6 of Massachusetts should restore the moratorium on landfilling, which was originally established
7 in 1995, and should establish a solid waste management program that will reduce the per capital
8 generation of solid waste and increase recycling.

9 SECTION 2. Notwithstanding any general or special law to the contrary, the Department of
10 Environmental Protection is hereby authorized to reinstate the moratorium on the siting and
11 permitting of solid waste landfills.

12 SECTION 3. Section 150A of Chapter 111 of the General Laws is hereby further amended by
13 adding the following paragraphs:—

14 No site in any city or town be assigned as a site for a sanitary landfill or as a dumping ground for
15 refuse, or as an expansion thereof, unless said site assignment or expansion was in effect on or
16 before July first, two thousand.

17 The department shall not grant a permit for a sanitary landfill or a dumping ground for refuse, or
18 for an expansion thereof, unless said permit was granted on or before July first, two thousand.

19 SECTION 4. Chapter 16 of the General Laws is hereby amended by striking Section 19 and by
20 striking the second paragraph of section 20 and inserting in its place thereof the following:—

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

29 SECTION 5. This act shall take effect upon its passage.