

**SENATE . . . . . No. 454**

The Commonwealth of Massachusetts

PRESENTED BY:

***Marc R. Pacheco***

*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 recycling.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Marc R. Pacheco</i>	<i>First Plymouth and Bristol</i>
<i>Patricia A. Haddad</i>	<i>5th Bristol</i>
<i>Peter V. Kocot</i>	<i>1st Hampshire</i>
<i>Chris Walsh</i>	<i>6th Middlesex</i>
<i>Michael F. Rush</i>	<i>Norfolk and Suffolk</i>
<i>William N. Brownsberger</i>	<i>Second Suffolk and Middlesex</i>
<i>Benjamin B. Downing</i>	<i>Berkshire, Hampshire, Franklin and Hampden</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>
<i>Eric P. Lesser</i>	<i>First Hampden and Hampshire</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>
<i>Kathleen O'Connor Ives</i>	<i>First Essex</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>
<i>Ruth B. Balser</i>	<i>12th Middlesex</i>
<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>
<i>Barbara L'Italien</i>	<i>Second Essex and Middlesex</i>

<i>Steven Ultrino</i>	<i>33rd Middlesex</i>
<i>Brian A. Joyce</i>	<i>Norfolk, Bristol and Plymouth</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>
<i>Benjamin Swan</i>	<i>11th Hampden</i>
<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>

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By Mr. Pacheco, a petition (accompanied by bill, Senate, No. 454) of Marc R. Pacheco, Patricia A. Haddad, Peter V. Kocot, Chris Walsh and other members of the General Court lfor legislation relative to recycling. Environment, Natural Resources and Agriculture.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 389 OF 2013-2014.]

The Commonwealth of Massachusetts

—————  
**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**  
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An Act relative to recycling.

*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 environmental protection shall establish performance  
2 standards for the reduction of municipal solid waste, as described in section 2, to achieve the  
3 purposes of the commonwealth's solid waste master plan and greenhouse gas reduction plan and  
4 to protect the natural environment, preserve resources, achieve progress toward the  
5 commonwealth's goals to reduce greenhouse gases and create green jobs in the commonwealth.  
6 The performance standards shall be promulgated by July 1, 2015.

7           SECTION 2. The department of environmental protection shall establish performance  
8 standards for municipal solid waste reduction on the basis of pounds per capita of solid waste  
9 disposed. The standards shall reduce solid waste to not more than 600 pounds per capita by July  
10 1, 2016 and not more than 450 pounds per capita by July 1, 2021.

11 SECTION 3. Not later than October 1, 2015, the secretary of energy and environmental  
12 affairs, in consultation with the department of environmental protection and the department of  
13 energy resources, shall develop a municipal solid waste standards action plan to assist  
14 municipalities in achieving the standards set forth in this act. The secretary shall review the  
15 effectiveness of existing recycling programs and other incentives available to achieve said  
16 standards and shall provide any recommendation including, but not limited to, potential  
17 regulatory and statutory changes to the commonwealths solid waste master plan, the 2020 Clean  
18 Energy and Climate Plan and the Commonwealth's Green Communities Plan. The secretary shall  
19 consult with the solid waste advisory committee in developing said plan.

20 SECTION 4. Cities and towns shall report to the department of environmental protection  
21 not later than September 1 of each year the total weight of solid waste disposed of through said  
22 city or town's solid waste program during the prior fiscal year, as well as the number of  
23 households and residents who participated in said program. If the department makes a  
24 determination that a city or town has not met the municipal solid waste reduction performance  
25 standards as prescribed by the department by July 1, 2016, said city or town shall submit a report  
26 to the department setting forth the reasons the town did not meet the standards and detailing a  
27 plan to achieve said performance standards by July 1, 2021. The department shall issue a report  
28 for all municipal solid waste programs not later than December 1 of that year providing per  
29 capita solid waste disposal statistics for all municipal solid waste programs and shall file the  
30 same with the clerks of the Senate and House of Representatives and the Joint Committee on  
31 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 of  
33 a city or town such as waste created as a result of a natural disaster.