SENATE DOCKET, NO. 1374 FILED ON: 1/18/2013

SENATE . . . . . No. 367

The Commonwealth of Massachusetts

PRESENTED BY:

Robert L. Hedlund

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:

An Act to increase commercial recycling .

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Robert L. Hedlund	*Plymouth and Norfolk*

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SENATE . . . . . No. 367

By Mr. Hedlund, a petition (accompanied by bill, Senate, No. 367) of Robert L. Hedlund for legislation to increase commercial recycling. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

An Act to increase commercial recycling .

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Chapter 94 of the Massachusetts General Laws, is hereby amended, by inserting, at the end thereof, the following new Section:-

SECTION 1: “Section 330. Commercial Recycling

For purposes of this chapter, the following terms mean the following:

(a) "Business" means a commercial or public entity, including, but not limited to, a firm, partnership, proprietorship, joint stock company, corporation, or association that is organized as a for-profit or nonprofit entity, or a multifamily residential dwelling.

(b) "Commercial Solid Waste", garbage and refuse produced by a business, sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility and other discarded material, including solid, liquid, semisolid, or contaminated gaseous material resulting from industrial, commercial, mining, and agricultural operations, and from community activities, but does not include solid or dissolved materials in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges, special nuclear, or radioactive byproduct material.

(c) “Commercial Waste Generator”, a business that, through its normal and ordinary operation, produces commercial solid waste.

Section 2: On and after July 1, 2013, a business that generates five cubic yards or more of commercial solid waste per week or is a multifamily residential dwelling of five units or more shall arrange for recycling services, consistent with state or local laws or requirements, including a local ordinance or agreement, applicable to the collection, handling, or recycling of solid waste, to the extent that these services are offered and reasonably available from a local service provider.

23 (a) A commercial waste generator shall take at least one of the following actions:

24 (1) Source separate recyclable materials from solid waste and subscribe to a basic level of
25 recycling service that includes collection, self-hauling, or other arrangements for the pickup of
26 the recyclable materials.

27 (2) Subscribe to a recycling service that may include mixed waste processing that yields
28 diversion results comparable to source separation.

29 (b) A property owner of a multifamily residential dwelling may require tenants to source
30 separate their recyclable materials to aid in compliance with this section."