

By Mr. Shea of Newton, petition of Chester Atkins and H. James Shea, Jr., for legislation to control the discharging of certain detergents into the waters of the Commonwealth. Social Welfare.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Seventy.

AN ACT PROVIDING FOR THE CONTROL OF DISCHARGING CERTAIN DETERGENTS INTO THE WATERS OF THE COMMONWEALTH.

1 *Whereas*, The deferred operation of this act would tend to  
2 defeat its purpose, which is to provide for the control of  
3 synthetic detergents being discharged into the surface and  
4 ground waters of the commonwealth, therefore it is hereby  
5 declared to be an emergency law, necessary for the immediate  
6 preservation of the public convenience.

*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. For the purposes of this act, the term "synthetic  
2 detergent" means a cleaning compound composed of in-  
3 organic and synthetic organic components, including surface  
4 active agents, water softening agents, builders, dispersing  
5 agents, corrosion inhibitors, foaming agents, buffering agents,  
6 brighteners, fabric softeners, dyes, perfumes, and fillers,  
7 which is available for household, personal, laundry, industrial  
8 and other uses in liquid, bar, spray, flake, or powder form.

1 SECTION 2. The director of the division of water pollution  
2 control is hereby authorized and directed to encourage and  
3 assist research and development by public and private agen-  
4 cies and organizations to develop (1) synthetic detergents  
5 which will substantially decompose or degrade in municipal,  
6 industrial, household, and other sewage treatment processes  
7 without impairing the efficiency of such processes, and whose  
8 decomposition or degradation residues will not pollute surface

9 and ground waters receiving effluent from such processes; will  
10 not be toxic to, or threaten or interfere with the conditions of  
11 survival of, fish and other animal and plant life living in or  
12 using such waters; and will not encourage the growth of  
13 algae and other undesirable aquatic plants; (2) improved or  
14 new sewage treatment processes, including improvement in  
15 existing processes, which have an improved capacity for  
16 decomposing or degrading existing or new detergents under  
17 normal operating conditions.

1 SECTION 3. Said director shall establish standards of bio-  
2 degradability which must be met by surfactants used in  
3 household detergents, industrial cleaners, shampoos, and sim-  
4 ilar products, according to procedures prescribed herein.

1 SECTION 4. For the purpose of developing these standards,  
2 the director shall appoint a technical committee whose mem-  
3 bership shall consist of an equal number of representatives of  
4 (a) the department of public health, (b) the soap and  
5 detergent manufacturing industry, and (c) independent and  
6 recognized consultants engaged in the field of detergent  
7 evaluation and testing.

1 SECTION 5. The standards of decomposability recom-  
2 mended by such committee shall be based on tests which  
3 truly simulate the operation of (1) municipal sewage treat-  
4 ment plants employing biological oxidation processes such as  
5 the continuous activated sludge process with a practical and  
6 typical aeration time in order to predict the concentration of  
7 undegraded detergent which would enter a water stream  
8 receiving the effluent from a municipal sewage treatment  
9 plant; and (2) household waste treatment units employing a  
10 biological treatment process such as a septic tank with a  
11 practical and typical retention time in order to predict the  
12 concentration of undegraded detergent which would enter  
13 ground water formations from a septic tank treating house-  
14 hold waste. Such tests shall be conducted on the final  
15 formulation supplied to the consumer as liquid or solid  
16 detergent.

1 SECTION 6. There is hereby appropriated a sum not to  
2 exceed twenty-five thousand dollars to the director of the  
3 water pollution control commission for the purpose of making  
4 arrangements, by contract, grant, or otherwise, for such tests  
5 to be carried out under the direction of such technical  
6 committee.

1 SECTION 7. On or before January first, nineteen hundred  
2 and seventy-one, the director shall (1) report to the General  
3 Court on measures taken toward the resolution of the de-  
4 tergent pollution problem including the development of the  
5 prescribed tests and standards and the development and  
6 manufacture of new types of detergents which affect this  
7 problem, and (2) make recommendations for additional legis-  
8 lation, if necessary, to regulate the composition of detergents  
9 in order to prevent, control, and abate pollution resulting  
10 from their manufacture, sale, and use.

1 SECTION 8. When such technical committee has recom-  
2 mended standards of decomposability and has certified to the  
3 director that a detergent or detergents conforming to the  
4 recommended standards are generally available to the manu-  
5 facturers of detergents, the director may, if he concurs in the  
6 findings of the committee and, after providing an appropriate  
7 opportunity for comments on such proposed standards of  
8 decomposability, promulgate such standards and establish  
9 such rules and regulations as are necessary to prevent sale of  
10 detergents not meeting the standards of decomposability.  
11 Such rules and regulations shall take effect on July first,  
12 nineteen hundred and seventy-one, or six months after the  
13 issuance of such regulations, whichever is later.

1 SECTION 9. Any person who willfully violates any provision  
2 of rules and regulations established pursuant to this sub-  
3 section shall be guilty of a misdemeanor and upon conviction  
4 thereof shall be subject for the first offense to a fine of not  
5 more than five hundred dollars, and for any subsequent  
6 offense to a fine of not more than two thousand dollars.

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