

HOUSE No. 6022

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, June 19, 1978.

The House committee on Ways and Means, to whom was referred the Bill to further provide for the management of solid waste in compliance with the regulations of the Department of Environmental Quality Engineering (House, No. 70), report recommending that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 6022).

For the committee,

JOHN J. FINNEGAN

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Eight.

AN ACT FURTHER REGULATING THE USE OF SANITARY LANDFILL.

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 fifth paragraph of section 150A of chapter
2 111 of the General Laws is hereby amended by inserting after the
3 first sentence the following sentences: — A facility which is a
4 sanitary landfill shall not be approved by the department unless the
5 department, after due notice and public hearing, finds that there is
6 no resource recovery facility available for the disposal of the solid
7 waste to be deposited in the proposed facility; provided that a
8 resource recovery facility shall not be considered to be available if
9 costs of using such a facility, including transportation charges, are
10 unreasonable as determined by the department provided, further,
11 that each contract with a resource recovery facility entered into by
12 a municipality shall provide that no increase in charges shall be
13 made in excess of the increase in the cost of living index for the
14 current year. As used in this section "resource recovery facility"
15 shall have the same definition as provided in section 18 of chapter
16 16.

1 SECTION 2. The first paragraph of section 4 of chapter 40 of
2 the General Laws is hereby amended by inserting after the first
3 sentence the following sentences: — notwithstanding the fore-
4 going, no town may make a contract for the disposal of its
5 garbage, refuse or offal in a sanitary landfill unless the department
6 of environmental quality engineering, after due notice and public
7 hearing, finds that there is no resource recovery facility available
8 for the disposal of said garbage, refuse or offal; provided that a
9 resource recovery facility shall not be considered to be available if
10 costs of using such a facility, including transportation charges, are
11 unreasonable as determined by the department; provided further,

12 that each contract with a resource recovery facility entered into by
13 a municipality shall provide that no increase in charges shall be
14 made in excess of the increase in the cost of living index for the
15 current year. As used in this section "resource recovery facility"
16 shall have the same definition as provided in section 18 of chapter
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