
By Mr. Norton, a petition of Thomas C. Norton for legislation to encourage the use of solid waste as a source of energy. Energy.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-five.

AN ACT TO ENCOURAGE THE USE OF SOLID WASTE AS A SOURCE OF ENERGY.

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 Commonwealth finds that the use of solid
2 waste as an alternative energy source for public and private
3 consumption must be encouraged by the Commonwealth in
4 order to reduce the dependence of its citizens on such energy
5 source as petroleum products, natural gas, nuclear and
6 hydroelectric generation.

1 SECTION 2. The first paragraph of section 4 of chapter 40 of
2 the General Laws is hereby amended by inserting after the
3 first sentence the following sentences: — Notwithstanding the
4 foregoing, no town may make a contract for the disposal of
5 its garbage, refuse or offal in a sanitary landfill outside of its
6 municipal boundaries unless the department of environmen-
7 tal quality engineering finds that there is no resource recovery
8 facility available for the disposal of said garbage, refuse or
9 offal; provided, that a resource recovery facility shall not be
10 considered to be available unless: (a) it is operating as a
11 resource recovery facility on the date the department makes
12 its findings; (b) it is a reasonable distance from the source
13 of the solid waste; and (c) the contract price to be charged
14 for disposing of solid waste at the facility is no more than the
15 lowest price charged to any other city or town for disposal of
16 solid waste at the facility under the same contract terms and
17 conditions.

18 As used in this section, "resources recovery facility" shall
19 mean, "a solid waste disposal facility utilizing processes for
20 reclaiming the energy values from solid wastes."

1 SECTION 3. The fifth paragraph of section 150A of chapter
2 111 of the General Laws is hereby amended by inserting after
3 the first sentence the following sentences: — Plans for a facili-
4 ty which is a sanitary landfill shall not be approved by the
5 department unless the department finds that there is no
6 resource recovery facility available for this disposal of the
7 solid waste to be deposited in the proposed facility; provided,
8 that a resource recovery facility shall not be considered to be
9 available unless: (a) it is operating as a resource recovery
10 facility on the date the department makes its findings; (b) it
11 is a reasonable distance from the source of the solid waste;
12 and (c) the contract price to be charged for disposing of solid
13 waste at the facility is no more than the lowest price charged
14 to any other city or town for disposal of solid waste at the facili-
15 ty under the same contract terms and conditions. An assign-
16 ment for a sanitary landfill or resource recovery facility within
17 a municipality which has been approved by the board of health
18 by the Department of Environmental Quality Engineering
19 shall be deemed to be in compliance with the municipal zon-
20 ing bylaws.

21 As used in the section, "resource recovery facility" shall
22 mean, "a solid waste disposal facility utilizing processes for
23 reclaiming the energy values from solid wastes."