

By Mr. Angelo of Saugus, petition of Steven Angelo relative to the siting of regional ash monofills for resource recovery facilities. Natural Resources and Agriculture.

*The Commonwealth of Massachusetts*

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

AN ACT RELATIVE TO THE SITING OF REGIONAL ASH MONOFILLS FOR RESOURCE RECOVERY FACILITIES.

1     *Whereas*, The deferred operation of this act would tend to  
2 defeat its purpose, which is to provide funding and legislation  
3 immediately for the siting, construction and operation of  
4 environmentally safe and financially sound regional monofills for  
5 ash generated by resource recovery facilities, therefore it is hereby  
6 declared to be an emergency law, necessary for the immediate  
7 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. Purpose

2     (a) The General Court of the Commonwealth of Massachusetts  
3 hereby finds and declares that:

4     (1) There is pending throughout the Commonwealth a severe  
5 shortage in environmentally safe and financially sound capacity  
6 for the disposal of residual ash generated by resource recovery  
7 facilities.

8     (2) The provision of such capacity is essential to the  
9 preservation and improvement of the health, welfare and living  
10 conditions of the people of the Commonwealth and is necessary  
11 to the maintenance, protection, conservation and development of  
12 safe water supplies and the protection of the environment overall.

13     (3) There is a critical need to prevent, mitigate and eliminate,  
14 to the extent feasible, the potential adverse environmental and  
15 public health effects attendant the improper storage, handling,

16 transportation and disposal of ash generated by resource recovery  
17 facilities.

18 (4) The application of acid gas technologies, including acid gas  
19 scrubbers, to resource recovery facilities increases the volume and  
20 weight of residual ash and potentially increases the concentration  
21 of certain toxic constituents in ash generated by resource recovery  
22 facilities.

23 (5) It is generally accepted that the best available technology  
24 for the environmentally safe disposal of ash generated by resource  
25 recovery facilities is lined, ash monofills with leachate collection  
26 systems.

27 (6) The Government of the Commonwealth has endorsed and  
28 proposed mandatory acid gas scrubbers and mandatory  
29 monofilling of the residual ash generated by resource recovery  
30 facilities.

1 SECTION 2. Chapter 16 of the General Laws is hereby  
2 amended by inserting after section 19 the following section:

3 Section 19A. (a) The Secretary of Environmental Affairs is  
4 hereby authorized to dispose of residual ash generated by resource  
5 recovery facilities in any manner and at any site which the  
6 Secretary determines presents no danger to the public health,  
7 safety or the environment, provided that the provisions of section  
8 one hundred and fifty A of chapter one hundred and eleven shall  
9 not apply. The Secretary shall purchase, lease, acquire, receive by  
10 gift or take by eminent domain under the provisions of chapter  
11 seventy-nine any land, structures, facilities and easements  
12 necessary for the siting of regional ash monofills. The Secretary  
13 shall contract with any person, firm, corporation or body politic  
14 to plan, design, manage, construct, maintain or operate such  
15 facility. Such ash monofills shall be in operation by July 1, 1989.

16 (b) The department of environmental quality engineering shall  
17 promulgate rules and regulations for the construction, expansion,  
18 maintenance, operation and closure of regional ash monofills and  
19 for the storage and transportation for disposal of residual ash.