

By Mr. Kujawski of Webster, petition of Paul Kujawski relative to protecting water supplies from landfill contamination. Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the Year Two Thousand and One.

AN ACT TO PROTECT WATER SUPPLIES FROM LANDFILL CONTAMINATION.

1 *Whereas*, The deferred operation of this act would tend to
2 defeat its purpose, which is to protect the quality of private and
3 public drinking water supplies from the toxic emissions from solid
4 waste landfills, it is hereby declared to be an emergency law, nec-
5 essary for the immediate 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. Section 150A of chapter 111 of the General Laws
2 is hereby amended by striking the second sentence of the eighth
3 paragraph and inserting in place thereof the following:—

4 A local board of health shall not assign a place requested by an
5 applicant as a site for a new facility or the expansion of an
6 existing facility unless the board makes a finding, based on the
7 siting criteria established by said section one hundred and
8 fifty A½, that the siting thereof would not constitute a danger to
9 the public health or safety or the environment.

1 SECTION 2. Section 150A½ of chapter 111 of the General
2 Laws is hereby amended by striking paragraph (1) and inserting in
3 place thereof the following:—

4 (1) the location, nature and extent of any existing public or pri-
5 vate drinking water supply or any area which may be a potential
6 public or private drinking water source in relation to the site,
7 including the recharge area of a sole source aquifer; provided that

8 said regulations shall prohibit the siting of a facility in the water-
9 shed of an existing surface water supply or in the recharge area of
10 an existing groundwater supply, or in any area which the depart-
11 ment or the board of health determines may have an adverse effect
12 on an existing public or private drinking water supply, or on any
13 potential drinking water supply area as determined by the depart-
14 ment or the board of health including the recharge area for any
15 area designated by the United States Geological Survey as a
16 medium yield or high yield aquifer, provided further that a poten-
17 tial drinking water supply area shall be defined as such solely by
18 the physical characteristics of said area whether or not any said
19 area had been designated as a water supply source or any applica-
20 tion had been filed to designate said area as a water supply source.

1 SECTION 3. Section 9 of chapter 40A of the General Laws is
2 hereby amended by striking the paragraph inserted by section 10
3 of chapter 584 of the acts of 1987.

1 SECTION 4. This act shall take effect upon passage.