

**Solid Waste Master Plan Workgroup on Siting Waste Diversion Facilities  
Summary of Meeting #1 – February 25, 2009**

1. MassDEP summarized the current solid waste management regulations and in particular the construct of the current exemptions and Determination of Need (DON) process.
2. Discussion of Barriers to siting diversion facilities:
  - Limit on exempt recycling facilities (100 tpd) is a barrier, particularly if single stream
    - If source separated and >100 tpd why can't facility be exempt? Still needs local zoning and permitting
    - What is the public health threat of having more material vs. less at a facility?
  - Local Board of Health/home rule vs. MassDEP technical review – people are comfortable talking to MassDEP on technical issues but local BOH may not have technical knowledge
  - Make it clearer and easier to site diversion activities – need more transparent regulations on what applies when and where
  - Cost of going through site assignment.
    - Cost of DON, etc a lot less than site assignment, but still significant transaction costs
  - Regulations don't deal well with new technologies and so need a catch-all way of addressing new technologies (NOTE: DON process was intended to be this for recycling and composting, but limited to those.)
  - Demonstration projects are a good feature of the solid waste regulations, but where there is a project that crosses into other regulations or bureaus, there is no similar permit.
  - Connecticut has a consolidated permit process for projects needing multiple permits, if the project will be addressing their Master Plan goals. This makes permitting easier and issue one umbrella permit.
  - Use of state owned property for facilities would reduce time spent on siting issues
  - Not clear for composting what materials can be combined
  - Balance between nuisance and tonnage – is the process contained enough to eliminate possible nuisance problems?
  - Economies of scale – facility has to be big enough to be viable.
  - Uncertainty of the site assignment process
    - Cost and time high, but no guaranteed outcome
  - Moratorium is a barrier to any kind of energy recovery
    - Does serve as protection to local citizens in area
    - Moratorium stigmatizes energy recovery type projects
    - Does not allow someone to just go out and meet established performance standards -- stifles innovation because don't even get to try
  - No incentive for a community to accept a facility

- “Solid Waste” as a term is an issue itself, especially when applied to an organic waste
- Technology barriers?

### 3. Suggestions for Changes

- Pre-approve technologies, clarify whether they require site assignment or not
- Make the Determination of Need (DON) process more generic
  - Expand the definition of recycling within DON to include technologies such as anaerobic digestion
  - Develop generic categories of DON much like the categories of Beneficial Use Determinations (BUDs)
- Strengthen and expand the DON process and don't weaken it
  - Categories should be more specific and not less specific
  - Need categories for food waste or organic waste
- Develop incentives for a community to accept a facility
  - Host community fee or agreement (which doesn't apply to exempt facilities)
  - Credit system?
- Need a category for food waste or organic waste
- Raise the 100 tpd limit on conditionally exempt recycling facilities
- Tonnage limits are antiquated
  - Economies of scale are important
- Encourage towns to deal with own waste

### Next Meeting

The second workgroup meeting will be held on Wednesday, March 11<sup>th</sup>, from 1:00 – 4:00 at MassDEP's Boston office. We encourage participants to bring specific suggestions for revising the applicable siting regulations and policies. MassDEP's solid waste regulations can be found online at

<http://www.mass.gov/dep/recycle/laws/regulati.htm#sw>.