



Massachusetts
Department
of
ENVIRONMENTAL
PROTECTION

*Massachusetts Department
of Environmental Protection*

**Waste Ban Presentation
for
Massachusetts Health
Officers Association**

Winter 2007

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Outline of Presentation

- Waste Ban Background
- Roles and Responsibilities:
 - Municipal Officials
 - MassDEP
- What's New/Resources

What are Waste Bans?

- Waste ban regulations: “No person shall dispose, transfer for disposal, or contract for disposal of the restricted material...”
- Began in 1991
- Regulatory Citation: 310 CMR 19.017

Banned Materials

- Glass, metal, & narrow-neck plastic containers
- Recyclable paper & cardboard
- Leaves & yard waste
- Construction & Demolition (C&D) Debris:
Asphalt Pavement, Brick, Concrete, Metal, Wood
- Lead acid batteries (primarily from vehicles)
- White goods (large appliances)
- Cathode ray tubes (TV/computer monitors)
- Whole tires (at landfills only)

Disposal Prohibitions Apply To Generators of Municipal Solid Waste

- Haulers
- Generators
 - Businesses
 - Municipalities
- Facilities
 - Landfills, transfer stations, incinerators

Prohibition on Disposal

- Goal of 100% removal of all banned items from trash
- MassDEP expects solid waste generators and haulers to make their best effort to comply with the prohibition on disposal of recyclables and remove as much as possible

Waste Ban Goals

- Public Health and Environmental Impact
 - Minimize the need for new facility construction
 - Conserve capacity at existing disposal facilities
 - Keep banned substances or materials from adversely affecting our environment when landfilled or incinerated
- Support the recycling industry by ensuring that large volumes of material are available on a consistent basis

Waste Bans are Part of the Success Story

- Total *materials diverted* increased from 6.5 million tons in 2000 to 7.6 million tons in 2004.
- Total *tons disposed* dropped from 6.5 million tons in 2000 to 6.4 million tons in 2004.

Recycling Benefits

- Environmental (annual)
 - Reduces 2M metric tons carbon dioxide = removes 1.6M cars from road
 - Preserves 17M trees (paper)
- Energy (annual)
 - Conserves 85M BTUs = power for 820K homes
- Economy
 - Employs 19,500 people at 1,400 businesses and organizations

Municipal Responsibilities and Roles Relative to Waste Bans

1. Managing MSW
2. Operating solid waste facilities
3. Managing recycling programs

1. Municipalities Managing MSW

- Municipalities must comply with waste bans if they collect residential solid waste and/or contract for collection service

Department Approved Recycling Program

- *Voluntary* program
- DARP criteria include programs to collect banned materials, including:
 - Recycling & composting commitment/access
 - Public education and participation
- Municipalities meeting criteria exempt from comprehensive inspections at solid waste facilities for paper, containers, leaves & yard waste, but still subject to ongoing monitoring

DARP Scope

- DARP status does not apply to MSW loads contracted by:
 - individual residents
 - multi-family buildings or businesses
 - the municipality itself (e.g., the Parks Department), unless otherwise deemed so by MassDEP
- All of the above subject to waste ban requirements

2. Municipalities Operating Solid Waste Facilities

- Municipalities that operate landfills and transfer stations that accept loads *over 5 cubic yards and above* must:
 - Develop and implement a waste ban compliance plan
 - Conduct:
 - On-going waste monitoring of loads
 - Comprehensive load inspections
 - Keep records of all waste ban compliance activities
 - Follow-up with haulers responsible for failed loads
 - Communicate the waste restrictions to all users

Municipalities Operating Solid Waste Facilities

- Municipalities that operate landfills and transfer stations that accept loads *5 cubic yards and under* must:
 - Develop and implement a waste ban compliance plan
 - Conduct on-going waste monitoring of loads
 - Communicate the waste restrictions to all users

MassDEP Roles and Responsibilities

- **Provides Guidance:** “Waste Ban Guidance for Operators of Solid Waste Facilities” available at: www.mass.gov/dep/recycle/laws/policies.htm#bans
- **Reviews and approves** solid waste facility waste ban compliance plans
- **Inspects** solid waste facilities to ensure they are in compliance with monitoring, inspections, record-keeping, signage, and other facility waste ban requirements

3. Municipalities Managing Recycling Programs

- Municipal recycling officials can use waste ban enforcement to strengthen local recycling requirements and hold haulers responsible for recycling service.

What's New?

- Recent Enforcement
 - MassDEP issued Notices of Non-Compliance (NONs) to 12 companies and organizations for illegal cardboard disposal from nine locations
 - The NON recipients are required to draw up plans to stop the disposal of banned materials

What's New?

- Hauler Subcommittee
 - Explore the possibility of hauler certification -- *voluntary regulatory flexibility* program for haulers (kind of like DARP)

What's new?

- Disposal ban on mercury products (as of May 2008)
 - Including, but not limited to, electric lamps, thermostats, automotive devices, electric switches, medical or scientific instruments, electric relays or other electrical devices

Waste Reduction Web Sites for Municipal Officials

- Practical guidance and resources
 - How to set up a program
 - Office recycling program guidelines
 - Directories of service providers
 - Regulatory requirements
 - Green purchasing

Resources for Municipalities

- MassDEP Municipal Recycling Web Page:
www.mass.gov/dep/recycle/reduce/assistan1.htm
- Earth911:
www.earth911.org
- Recycling Services Directory:
www.wastecap.org/wastecap/RSD2003/index.asp

Resources for Businesses

- **MassDEP Business Recycling Web Page:**
www.mass.gov/dep/recycle/reduce/assistan.htm
- **Earth911 Business:**
www.earth911Business.com
- **Recycling Services Directory:**
www.wastecap.org/wastecap/RSD2003/index.asp
- **Massachusetts WasteWise:**
www.mass.gov/dep/recycle/reduce/wastewise.htm

MassDEP Contacts

- DARP/Municipal issues: John Crisley; 617-556-1021; john.crisley@state.ma.us
- Facility specific: section chiefs, regional office
- Facility general: Paul Emond, 617-292-5974; paul.emond@state.ma.us
- Hauler/generator enforcement: Steve Long, 617-292-5734; stephen.long@state.ma.us
- Commercial waste reduction hotline 617-348-4002