

HOUSE No. 853

By Mr. Rush of Boston, petition of Michael F. Rush and others requiring recycling in state buildings. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

PETITION OF:

Michael F. Rush	William Lantigua
James B. Eldridge	Gloria L. Fox
Robert M. Koczera	Lewis G. Evangelidis
David Paul Linsky	Pamela P. Resor
Barry R. Finegold	Patricia D. Jehlen
Jennifer L. Flanagan	Cory Atkins
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Douglas W. Petersen	Robert L. Hedlund
Jay R. Kaufman	Carl M. Sciortino, Jr.
Edward M. Augustus, Jr.	Walter F. Timilty
Stephen M. Brewer	Stephen Stat Smith
Scott P. Brown	Jennifer M. Callahan

In the Year Two Thousand and Seven.

AN ACT TO REQUIRE RECYCLING IN PUBLIC BUILDINGS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 Chapter 21A of the General Laws, as appearing in the 2004 Offi-
- 2 cial Edition, is hereby amended by inserting after Section 20 the
- 3 following new section:—
- 4 Section 21. (a) As used in this section the following words shall
- 5 have the following meanings:—
- 6 “Agency”, any state agency, state authority, state higher education
- 7 facility or state office.
- 8 “Cathode ray tubes”, any intact, broken, or processed glass tube
- 9 used to provide the visual display in televisions, computer monitors
- 10 and certain scientific instruments such as oscilloscopes.
- 11 “Court”, any trial court department, appeals court and the
- 12 supreme judicial court.“Construction and demolition”, asphalt pave-
- 13 ment, brick, wood, metal and concrete from construction activities
- 14 and demolition of buildings, roads and bridges and similar sources.

15 “Glass Containers”, glass bottles and jars (soda-lime glass) but
16 excluding light bulbs, Pyrex cookware, plate glass, drinking glasses,
17 windows, windshields and ceramics.

18 “Fluorescent lamp”, an electric lamp to which the manufacturer
19 intentionally introduces mercury for the operation of the lamp,
20 including, but not limited to fluorescent, compact fluorescent, black
21 lights, high intensity discharge lamps, ultraviolet lamps and neon
22 lamps.

23 “Lead Batteries”, lead-acid batteries used in motor vehicles or sta-
24 tionary applications.

25 “Metal Containers”, aluminum, steel or bi-metal beverage and
26 food containers.

27 “Recyclable paper”, all paper, corrugated cardboard, and paper-
28 board products, except tissue paper, toweling, paper plates and cups,
29 wax-coated corrugated cardboard, and other low-grade paper prod-
30 ucts.

31 “Single polymer plastics”, all narrow-neck plastic containers
32 where the diameter of the mouth of the container is less than the
33 diameter of the body of the container. This includes single polymer
34 plastic containers labeled 1-6.

35 “State Sustainability Program”, State Sustainability Program
36 within executive office of environmental affairs.

37 “Tires”, a continuous solid or pneumatic rubber covering intended
38 for use on a motor vehicle.

39 “White goods”, appliances employing electricity, oil, natural gas
40 or liquefied petroleum gas to preserve or cook food; wash or dry
41 clothing, cooking or kitchen utensils or related items; or to cool or to
42 heat air or water, including, but not limited to, refrigerators, freezers,
43 air conditioners, water coolers, dishwashers, clothes washers, clothes
44 dryers, gas or electric ovens and ranges, and hot water heaters.
45 White goods do not include microwave ovens.

46 “Yard Waste”, deciduous and coniferous seasonal depositions,
47 such as leaves, grass clippings, weeds, hedge clippings, garden
48 materials, and brush 1 (one) inch or less in diameter (excluding dis-
49 eased plants).

50 (b) By January 1, 2007, every agency and court, individually or in
51 conjunction with other agencies or courts, and the General Court
52 shall recycle the following materials: lead batteries, metal con-
53 tainers, glass containers, single polymer plastics, recyclable paper,

54 yard waste, tires, white goods, fluorescent lamps, cathode ray tubes
55 or the product that contains the cathode ray tube and construction
56 and demolition material.

57 (c) The State Sustainability Program shall provide recycling guid-
58 ance to establish and implement a waste generation and recyclable
59 material generation reporting system for agencies, courts and the
60 General Court. Agencies and courts with more than 50 employees
61 located in a state owned building and the General Court shall be
62 required to submit said reports. In the event an agency or court is
63 located in a facility where the waste management is handled by
64 another agency or court, the agency or court responsible for waste
65 management shall be responsible for submitting said reports. Said
66 reports shall, where feasible, include, but not be limited to the
67 following:—

68 (1) Tonnage of solid waste generated by the agency, court or
69 General Court; and

70 (2) Tonnage of waste recycled by agency, court or General
71 Court; and

72 (3) A breakdown of the tonnage of materials in subsection (b).
73 Said reports shall be submitted to the State Sustainability Program at
74 least annually.

75 (d) Every lease agreement entered into by an agency or court after
76 the effective date of this section shall contain a provision that
77 requires recycling pursuant to the terms of this act, and, where fea-
78 sible, requires the landlord to report on agency or court waste gener-
79 ation and recycling data pursuant to Section (c) of this act.

80 (e) The executive office of environmental affairs may promulgate
81 rules and regulations regarding this act.