

Property Managers and the Waste Bans: What You Need to Know

What are waste bans?

“Waste bans” are restrictions on the disposal, transfer for disposal and contracting for disposal of certain hazardous items and recyclable materials at solid waste facilities in Massachusetts (310 CMR 19.017).

The waste bans are designed to:

- Conserve capacity at existing disposal facilities.
- Minimize the need for new facility construction.
- Provide recycling markets with large volumes of material on a consistent basis.
- Keep certain toxic substances or materials from adversely affecting our environment when landfilled or combusted.
- Promote business and residential recycling efforts.

Since the first waste bans were introduced in 1990, Massachusetts municipalities and businesses - often supported by state grants and technical assistance - have developed new infrastructure to collect banned items and other discarded materials, and to divert them from disposal to reuse and recycling.

What Do Property Managers Need to Know?

- **As service providers to tenants**, property managers must responsibly contract for solid waste collection services, adhere to municipal by-laws, and comply with the waste bans.
- **As entities contracting for solid waste services**, property managers need to ensure that banned materials collected at their properties are not sent for disposal. Property managers can comply with the waste bans by implementing recycling collection programs with their haulers that ensure all restricted

materials are collected and managed in a way that prevents disposal. It is a violation to dispose, contract for the disposal, or transfer for disposal materials restricted by the waste bans.

- **As recycling program managers**, property managers can use waste ban requirements to improve recycling by their tenants and hold haulers responsible for recycling services.

When the Department of Environmental Protection (MassDEP) observes excessive amounts of banned materials being sent for disposal, property managers risk enforcement action by MassDEP and/or financial penalties. MassDEP will work with interested property managers to improve their recycling and composting programs to ensure compliance with the waste bans.

What do I need to do? Remove and Recycle!

Recycling prevents unnecessary disposal of usable raw materials, saves energy and reduces air and water pollution. Recycling also reduces disposal costs and can save money by diverting materials from the trash dumpster to the recycling bin.

Your waste hauler may be able to help you establish a recycling program. Also, the [RecyclingWorks in Massachusetts](#) program has an extensive list of companies that collect or process recyclable materials, as well as information on how to start a recycling program.

What is banned?

- **Asphalt Pavement, Brick and Concrete:** asphalt pavement, brick and concrete from construction and demolition of buildings, roads, bridges, and similar sources.
- **Batteries:** Lead-acid batteries used in motor vehicles or stationary applications.
- **Cathode Ray Tubes:** Any intact, broken or processed glass tube used to provide the visual display in televisions, computer monitors and certain scientific instruments.
- **Clean Gypsum Wallboard:** A panel (known as drywall) with a gypsum core and faced with a heavy paper or other material on both sides that is not contaminated with paint, wallpaper, joint compound, adhesives, nails, or other substances after manufacture.
- **Glass Containers:** Glass bottles and jars. The ban does not cover light bulbs, Pyrex cookware, plate glass, drinking glasses, windows, windshields and ceramics.

- **Leaves & Yard Waste:** Leaves, grass clippings, weeds, garden materials, shrub trimmings, and brush one inch or less in diameter (excluding diseased plants).
- **Mattresses:** Any resilient material or combination of materials that is enclosed by ticking, used alone or in combination with other products, and that is intended for sleeping upon, except for mattresses that are contaminated with mold, bodily fluids, insects, oil, or hazardous substances. Mattress includes any foundation or box-spring. "Mattress" does not include any mattress pad, mattress topper, sleeping bag, pillow, car bed, carriage, basket, dressing table, stroller, playpen, infant carrier, lounge pad, crib bumper, liquid or gaseous filled ticking, including any water bed and any air mattress that does not contain upholstery material between the ticking and the mattress core, and mattresses in futons and sofa beds.
- **Metal:** Ferrous and non-ferrous metals derived from used appliances, building materials, industrial equipment, vehicles, and manufacturing processes.
- **Metal Containers:** Aluminum, steel or bi-metal beverage and food containers.
- **Recyclable Paper:** All paper, cardboard, and paperboard products (EXCEPT tissue paper, toweling, paper plates, wax-coated cardboard and other low-grade paper products).
- **Plastic Containers:** Bottles, jars, jugs and tubs.
- **Textiles:** Clothing, footwear, bedding, towels, curtains, fabric, and similar products except for textiles that are contaminated with mold, bodily fluids, insects, oil, or hazardous substances.
- **White Goods:** Appliances employing electricity, oil, natural gas or liquefied petroleum gas. These include refrigerators, freezers, dishwashers, clothes washers, clothes dryers, gas or electric ovens and ranges, and hot water heaters.
- **Whole Tires:** Motor vehicle tires of all types (Combustion facilities can accept whole tires for disposal. Shredded tires are not restricted).
- **Wood:** Treated and untreated wood, clean wood (including trees, stumps, and brush, including but not limited to sawdust, chips, shavings and bark). (Combustion facilities can accept wood for disposal.)
- **Commercial Organic Material:** Food and vegetative material from businesses and institutions (non-residential) that dispose of one ½ ton or more organic material per week.

Did you Know?

- The waste bans apply to all solid waste destined for a Massachusetts landfill, combustion facility, or transfer station.
- Waste generators are responsible for ensuring that they do not contract for the disposal of banned items.
- Waste facility operators are responsible for ensuring that unallowable quantities of banned materials are not disposed or transferred for disposal from their facilities. Facilities must check incoming waste in two ways:
 - ✓ First, all loads must be visually monitored for the presence of banned materials.
 - ✓ Second, random inspections of waste load contents must be conducted.
- MassDEP conducts inspections at solid waste facilities to identify haulers and generators (businesses, institutions, municipalities, etc.) that dispose of banned materials.
- Businesses and municipalities that do not divert banned items from their waste run the risk of having solid waste facilities reject their waste and charge additional handling fees, and potential enforcement penalties from MassDEP.

For more information:

Visit the MassDEP [Waste Bans Home Page](#).

For assistance with finding a recycling service provider, contact the Recycling Works in Massachusetts program at (888)254-5525, via email at info@recyclingworksma.com, or visit the Recycling Works in Massachusetts [web site](#).