

Haulers and Waste Ban Compliance

The Massachusetts waste bans (found at 310 CMR 19.017) are prohibitions on the disposal or transfer for disposal of certain recyclable and/or toxic materials. They are intended to spur the reuse and/or recycling of banned waste materials, conserve disposal capacity across the state, and minimize adverse environmental impacts.

People who generate solid waste and people who transport it to disposal facilities are subject to waste ban requirements. The Department of Environmental Protection (MassDEP) conducts ongoing inspections at solid waste facilities to identify waste haulers and generators who improperly dispose of banned materials.

Three key strategies can lower your company's risk of transporting prohibited wastes:

- **Train Your Employees.** Be sure they understand what the waste ban regulations require, and also that MassDEP may take enforcement action against your company when your waste loads are found to contain banned materials.
- **Educate Your Customers.** Let them know which materials are banned from disposal in Massachusetts and help them develop procedures for preventing those items from entering the waste stream.
- **Keep Good Records.** Track and document all procedures and transactions, as well as the steps you have taken to prevent shipping non-conforming waste loads.

These strategies are discussed in more detail below.

Employee Training & Protocols

All employees of your waste hauling business – not only drivers, but also sales and customer service personnel – should be well acquainted with the waste bans. The better they educate your customers about keeping prohibited materials out of the trash, the easier it will be for your company meet its compliance obligations.

MassDEP recommends that your company require all new employees to be trained about the waste bans, and that you offer periodic refresher training for all employees. This training should include waste ban quality assurance/quality control procedures for all facets of your operation.

Your drivers can be a critical component of a successful compliance strategy:

At Pick-Up:

- Check for banned materials when picking up waste loads and after tipping waste loads at the facility, and report violations or potential violations both to the customer and to the company's home office.
- Ask customers to remove banned items, inform them that service fees may be levied to separate and process banned materials, or refuse to pick up non-conforming loads, and notify customer service representatives responsible for managing the affected accounts.
- Provide literature, container stickers and other educational materials for on-site replacement or to provide to customers as needed.

At the Receiving Facility:

- Be knowledgeable about the policies of each waste facility and the materials that each can and cannot accept. (For example, whole tires are banned at landfills but not at combustion facilities.)
- Get out of trucks whenever possible and inspect loads at waste transfer or disposal facilities. Document and take photographs of any failed loads and notify customer service representatives as above.

Sales & Customer Service:

The initial point of sale provides a convenient opportunity to offer recycling services and an ideal starting point for an ongoing dialogue with customers about the waste bans, the specific materials prohibited from disposal, and the fact that as waste generators, they too are subject to MassDEP enforcement action for throwing away banned items. It is a good idea to:

- Provide each customer with "[Your Business and the Waste Bans: What You Need to Know](#)") or a similar educational handout.
- Affix labels or stickers to all containers you distribute to let customers know what materials can and cannot be placed in each receptacle.
- Advise customers of appropriate procedures for handling banned materials.

You can use your business policies and procedures to help educate your customers:

- Incorporate waste ban compliance requirements into all contracts.
- Advise customers that you will not accept prohibited materials, that you may levy service fees or surcharges on non-conforming loads, and that you could discontinue service to them for repeat offenses.
- Show customers photographs of failed loads, facility turn-away letters and details of failed load surcharges, and offer them follow-up waste ban education and additional material management services.
- Notify MassDEP of chronic or serious waste ban violations and ask the agency to send warning letters to offending customers.

Good Records are Valuable:

Keeping good records can help you monitor progress in complying with the waste bans and identify opportunities for improvement. It is important to keep on file:

- All applicable signed documents.
- Copies of emails and faxes, and records of phone calls.
- QA/QC procedures.
- Records of failed load observations, notifications issued by receiving facilities and follow-up actions.

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](#).