



THE GENERAL COURT OF MASSACHUSETTS
STATE HOUSE, BOSTON 02133-1053

By electronic mail

John Fischer
Deputy Division Director, Solid Waste Materials Management
Department of Environmental Protection
Commonwealth of Massachusetts
Boston Office
One Winter Street
Boston, MA 02108

Re: Comments to the Draft 2020-2030 Solid Waste Master Plan

Dear Mr. Fischer,

Thank you for the opportunity to comment on the Draft 2020-2030 Solid Waste Master Plan on behalf of the bicameral Zero Waste Caucus. We appreciate the Commonwealth of Massachusetts Department of Environmental Protection's ("MassDEP's") ongoing efforts to improve and modernize our solid waste system. Given the impact solid waste has on our communities, working to modernize trash and recycling systems in Massachusetts is critical. The Commonwealth disposed of more waste in landfills and incinerators in 2019 than it did in 2010, and these facilities are neither cheaper nor safer now than they were then. We must do more to significantly decrease disposal.

Solid waste is a costly burden for our cities and towns and raises a variety of environmental justice concerns. As you know, toxins in the environment have a disproportionate impact on lower-income communities and communities of color, and we can no longer ignore the public health impact that incinerators have on environmental justice neighborhoods in our state.

Over the past two years, recycling costs for Massachusetts communities have skyrocketed. For the first time since the inception of recycling, some cities are now forced to pay an expensive "tipping fee" for disposal of recycled goods. In addition to the added financial burden, this fee represents a failure to adequately address the growing waste crisis both in the Commonwealth and across the country. Many of these waste products, such as water bottles and nips, end up in streets and gutters, on sidewalks, and in rivers. This added blight—and added cost—is both unnecessary and unacceptable.

The COVID-19 pandemic has only worsened our situation. Rock-bottom recycled material prices around the world and increased strain on local and state budgets from the pandemic are crippling municipal recycling programs.¹ To that end, we ask that you use the 2020-2030 Solid Waste Master Plan to outline how the Commonwealth intends to aggressively address this growing and urgent crisis.

Recycling is failing, and the last ten years' increased disposal rates are by definition a failure. While our constituents and planet pay the price, large packaging companies and the waste industry are experiencing record profits. Now is the time for action.

Phase out Incineration and Protect Environmental Justice Communities

The Commonwealth of Massachusetts burns about 3.2 million tons of waste a year in seven incinerators. Six of those seven incinerators are located in Environmental Justice Communities, the very populations that have been hit hardest by the COVID-19 pandemic. Continuing to burn waste and release toxic chemicals into the air will only exacerbate this ongoing public health crisis, so phasing out incineration must be a central tenet of the Solid Waste Master Plan.

Agency Action

We call on MassDEP to commit to agency action to reform the Solid Waste system in three important ways:

Pay-As-You-Throw

MassDEP has the power to require unit-based pricing for trash throughout the state and must implement it as soon as possible. These Pay-As-You-Throw (PAYT) or Save-Money-And-Reduce-Trash (SMART) programs reduce trash by 42-54%, according to a 2018 study from the University of New Hampshire and would save municipalities significant amounts of money. Further, there is no evidence that Pay-As-You-Throw programs increase illegal dumping.² In order to achieve DEP's stated goal of 90% solid waste reduction by 2030, we encourage DEP to set an interim goal of 50% by 2025 and to commit to strong measures such as PAYT in order to achieve the 90% objective.

Enforce Existing Waste Bans

According to MassDEP, 40% of the 5.7 million tons of waste Massachusetts disposes of every year are Waste Ban items under 310 CMR 19.00. In other words, they are prohibited from being burned or buried, yet they are. MassDEP must commit to improving enforcement and eliminating this disposal. Improving enforcement to block 90% of these materials from landfills and incinerators would decrease disposal by more than two million tons a year. Given that enforcement takes place at a few dozen facilities, this is a very achievable goal. We recommend establishing a short-term goal to achieve

¹ Staub, C, (May 27, 2020), *Budget Shortfalls Threaten Local Recycling Programs*, <https://resource-recycling.com/recycling/2020/05/27/budget-shortfalls-threaten-local-recycling-programs/>

² The Recycling Foundation, (Accessed August 8, 2020), [payasyouthrow.org](http://payasyouthrow.org/faqs/#toggle-id-1), <http://payasyouthrow.org/faqs/#toggle-id-1>

90% enforcement in this plan by 2025. Moreover, Massachusetts must set the achievable goal of 0% improper disposal of Waste Ban items by 2030 in this SWMP.

Composting

Lastly, organic waste makes up almost one third of the entire waste stream. As the heaviest component of our waste stream, it also costs the most to dispose of in a landfill or incinerator. Thanks to MassDEP's Commercial Food Waste Ban, the Commonwealth diverts about 280,000 tons of food waste a year through donation, compost, and anaerobic digestion. However, that still leaves 80% of organic waste that we pay to dispose of. We encourage DEP to revise the draft goal from 90% to 100% organic waste diversion by 2030, as we believe this is achievable within this timeframe.

MassDEP has the opportunity through the 2020-2030 Solid Waste Master Plan to support the Commonwealth's municipalities through the combined recycling and COVID-19 crises. By implementing the suggestions mentioned in this letter, MassDEP could provide critical support to the towns and cities of Massachusetts. As Legislators, we stand at the ready to partner with you to advance the concepts outlined above, and the Zero Waste Caucus will concurrently be working to advance a variety of legislative items to complement DEP's efforts and help the Commonwealth move toward a zero waste future.

Thank you for all of your hard work on the 2020-2030 Solid Waste Master Plan. We are grateful to the MassDEP and all its employees for your commitment to reducing, reusing, recycling, and composting the Commonwealth's waste.

Sincerely,

Representative Michelle Ciccolo
15th Middlesex District
House Chair, Zero Waste Caucus

Senator Jason Lewis
Fifth Middlesex District
Senate Chair, Zero Waste Caucus

Representative Christine Barber
34th Middlesex District

Senator Harriette Chandler
First Worcester District

Representative Carol Doherty
3rd Bristol District

Senator Joanne Comerford
Hampshire, Franklin and Worcester District

Representative Mindy Domb
3rd Hampshire District

Senator Sal DiDomenico
Middlesex and Suffolk District

Representative Sean Garballey
23rd Middlesex District

Senator Jamie Eldridge
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Representative Rich Haggerty
30th Middlesex District

Representative Kay Khan
11th Middlesex District

Representative Jay Livingstone
8th Suffolk District

Representative Joan Meschino
3rd Plymouth District

Representative Maria Robinson
6th Middlesex District

Representative Lindsay Sabadosa
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Representative Jon Santiago
9th Suffolk District

Representative RoseLee Vincent
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