

Massachusetts Waste Disposal Bans and Local Health Departments



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Massachusetts Waste Bans

Waste Bans History

- Began in early 1990s
- Banned materials include
 - Recyclable paper/cardboard
 - Glass, metal, and plastic containers
 - Leaves and yard waste
 - Commercial organic material (food material)
 - Textiles
 - Certain construction materials
 - Certain bulky materials
 - White goods, mattresses, CRTs

Commercial Organics Ban History

- Organics Action Plan – established 2012
- Initial Commercial Organics Waste Ban –2014
 - 1 ton per week
- Expanded Commercial Organics Waste Ban – 2022
 - ½ ton per week
- 2030 Solid Waste Master Plan – published 2021
 - “Conduct stakeholder process by 2025 to assess whether to ban all organic waste from disposal by 2030.”
 - Held multiple meetings in 2025
 - Will continue in 2026

What do Waste Bans Say

- No person shall dispose, transfer for disposal or contract for disposal of banned materials
- Solid waste facilities required to have and implement waste ban compliance plan
 - Signage
 - Load observations
 - Tracking and maintaining failed load info
 - Communication with hauler/generator
- MassDEP inspection focus – compliance by waste hauler and generator

How Does MassDEP Work Towards Compliance

Inspections & Enforcement

- Conduct inspections at solid waste facilities
- Focus on businesses/institutions, not individuals
- Commercial organic (food) material only material with specified threshold
- Rely on action levels to guide enforcement to ensure focused on significant violations
- First violation: notice of non-compliance
- Second violation: consent order with penalty
 - \$860-1000 per violation

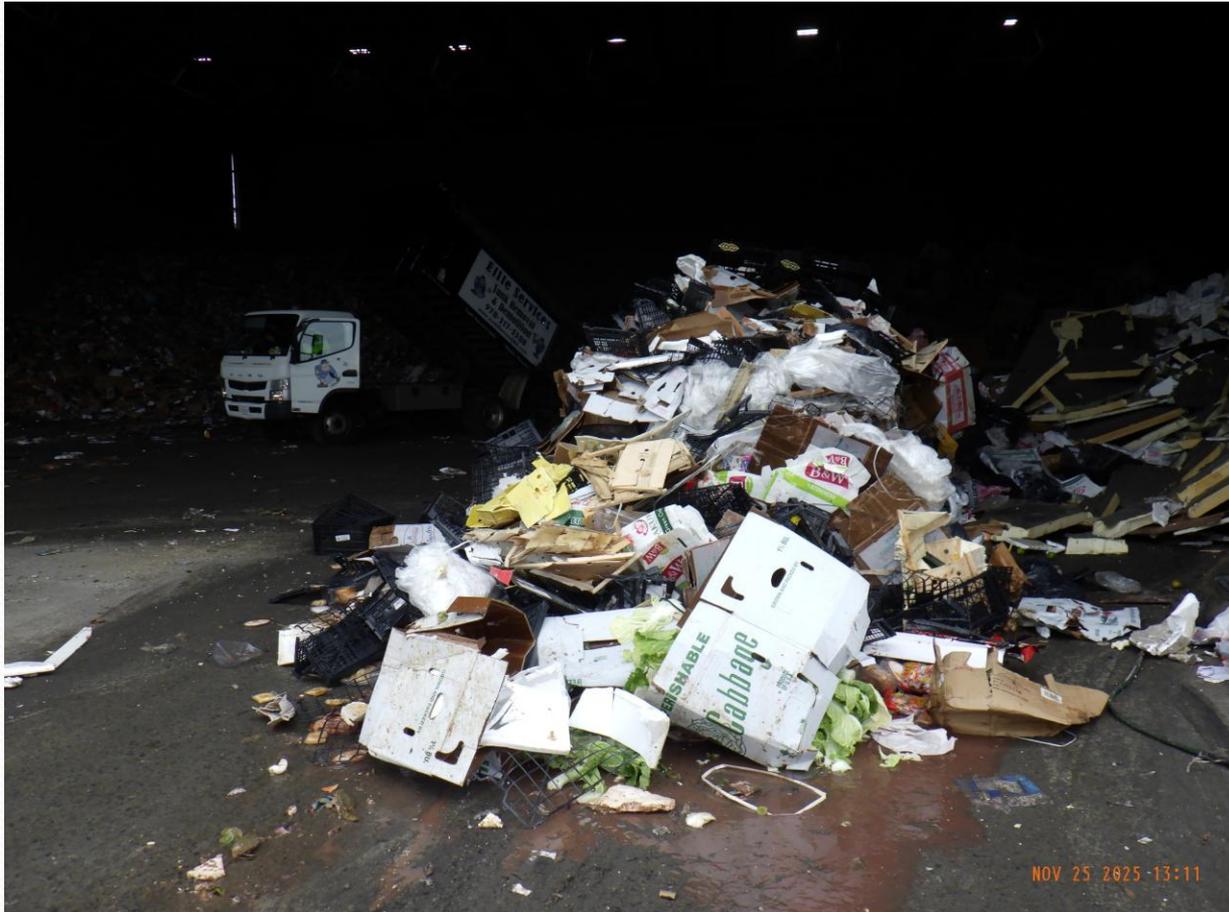
Warning Letters

- Only enforce against violations we observe
- Issue letters based on solid waste facility data or reports to us
- Also send letters for marginal violations

Example Cardboard Failed Load



Example of Food Failed Load



Example of Food Failed Load



Example of Food Failed Load



Example of Food Failed Load



Example of Food Failed Load



Request for Information Letters

- Seeking more information on compliance
- Used a lot for food waste
 - 167 companies with more than 1,000 locations
- Require response
 - 51 reported over threshold – all now report programs
 - 22 reported under threshold, though 5 implementing
 - 10 partial responses

Other Outreach

- Conducting expanded outreach through trade associations, chambers, other business groups
 - Newsletters, emails, presentations
- RecyclingWorks in Massachusetts program outreach
 - Statewide assistance program run under contract to MassDEP
 - Assistance via email phone, in person
 - [Web based resources and guidance](#)
 - Have partnered with individual municipalities

Connections with Local Health Departments

Local Regulations: Haulers & Mandatory Recycling

- No waste ban inspection/enforcement obligations for municipalities
- Some municipalities have local mandatory recycling regulations that apply to haulers and/or businesses
- Implemented and enforced locally
- May connect with waste bans
- <https://www.mass.gov/lists/implementing-mandatory-recycling-private-hauler-regulations>

Food Safety Inspections & Outreach

- Opportunity to raise awareness about waste bans
- Can share information about RecyclingWorks in Massachusetts assistance and guidance
- Best Management Practices
 - <https://recyclingworksma.com/donate/>
 - <https://recyclingworksma.com/local-health-department-guidance-for-commercial-food-waste-separation/>
 - <https://recyclingworksma.com/reusable-containers-guidance/>

Other Municipal Roles

- Waste Generator
 - May receive enforcement for waste ban violations
 - Most common for schools, municipal buildings, parks

Contact Information

- John Fischer – john.fischer@mass.gov
- Web Links
 - [Waste Bans](#)
 - [Organics Subcommittee](#)
 - [RecyclingWorks in Massachusetts](#)