

Guidance on Falmouth's Mandatory Recycling Regs - March 2023

FAQs for Haulers

Falmouth Town Meeting (04.04.22) authorized the Board of Health to implement a mandatory program for recycling certain waste materials in the town. The regulations were drafted jointly by the Falmouth Board of Health and Solid Waste Advisory Committee members, and after over a year of development and several public comment sessions, they were approved by the State Attorney General and adopted by the Board of Health on December 19, 2022. Implementation date is April 14, 2023.

Falmouth's Mandatory Recycling Regulations may be viewed or downloaded here:

<https://www.falmouthma.gov/DocumentCenter/View/13940/Rules--Regulations-for-Mandatory-Recycling-and-for-Permitting-and-Operation-of-Municipal-and-Commerical-Solid-WasteRecycling-Collection?bidId=>

Massachusetts Waste Bans

Massachusetts already bans many hazardous and recyclable materials from disposal in landfills or by incineration. Falmouth's Mandatory Recycling Regulation reinforces compliance with, and gives Falmouth officials authority to enforce, the state "Waste Bans" at the local level.

According to Mass DEP, haulers who transport materials to disposal facilities are subject to waste ban requirements. <https://www.mass.gov/doc/guidance-brief-haulers-waste-ban-compliance/download>

Do Haulers have to follow the Mandatory Recycling Regulations?

Yes, and solid waste haulers operating in Falmouth must offer recycling collection to all their customers.

As part of their annual license renewal with the Board of Health, solid waste haulers must document that they offer recycling to their customers and must provide information to the Board of Health on the Materials Recovery Facility (MRF), where they take their customers' recyclable materials.

NOTE: Everyone who lives, works, or plays in Falmouth is subject to these regulations. They apply to every residential, commercial, industrial, institutional, nonprofit, municipal, or school property and every special event that generates solid waste or recycling within the Town of Falmouth.

What are the requirements for Haulers?

Upon the initial provision of solid waste collection services to new customers permitted haulers shall notify customers, in writing, of:

- The availability of the collection of recyclable material
- The materials designated for recyclables collection
- The rules and regulations as established by the collector for the orderly collection of recyclable material

The permittee shall provide to the Department of Public Works tonnage of solid waste and/or recycling and/or compostables, or a reasonable estimation thereof, on a monthly basis to include location of disposal, recycling, and/or compost facilities.

The permittee shall notify the Board of Health or designee of the chronic or serious waste ban violations of their customers. Such notice shall be evidence of noncompliance for purposes of any investigation by the Board of Health or designee into violations of these regulations.

In the event that a permittee receives a Notice of Noncompliance for noncompliant loads at disposal or recycling facilities from the MassDEP, the permittee shall notify or provide copies of the Notice of Noncompliance to the Board of Health within 30 days of receipt thereof.

What if my commercial customers refuse to accept recycling collection?

Falmouth business owners will be required to comply with these regulations beginning April 14, 2023.

If a customer refuses recycling collection, they must file a RECYCLING SERVICE EXEMPTION FORM FOR COMMERCIAL GENERATORS with the Health Department.

Form available at <https://www.falmouthma.gov/1400/Mandatory-Recycling-Regulations>

- Those choosing to haul their own recyclable materials must file an Exemption Form.
- Those choosing to contract with another hauler (for recycling) must file an Exemption Form.
- Haulers must notify Board of Health of all customers who requested the Exemption Form rather than accepting recycling collection.

Additional Information

Mass DEP 310 CMR 19.017 Current Waste Ban Information

<https://www.mass.gov/doc/fact-sheet-what-are-the-massachusetts-waste-bans/download>

Mass DEP Guidance for Commercial Haulers

<https://www.mass.gov/doc/guidance-brief-haulers-waste-ban-compliance/download>

Mass DEP Webinar Slides- Presentation for Haulers (June 2022)

<https://www.mass.gov/doc/presentation-waste-ban-webinar-for-haulers-june-2022/download>

Mass DEP Guidance for Business Owners

<https://www.mass.gov/doc/fact-sheet-your-business-the-waste-bans/download>

Mass DEP Guidance for Property Managers

<https://www.mass.gov/doc/fact-sheet-property-managers-the-waste-bans/download>

Falmouth Exemption Form

<https://www.falmouthma.gov/1400/Mandatory-Recycling-Regulations>

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