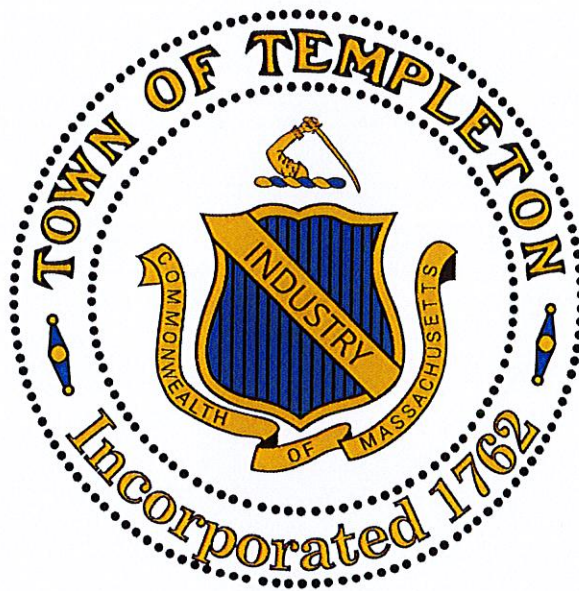


TOWN OF TEMPLETON

SPECIAL TOWN MEETING WARRANT

December 5, 2024



**Narragansett Regional Middle School
460 Baldwinville Road, Baldwinville**

TOWN OF TEMPLETON
WARRANT FOR SPECIAL TOWN MEETING
December 5, 2024

WORCESTER, ss.

To either of the Constables of the Town of Templeton in said County:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the precincts of the Town of Templeton, County of Worcester, qualified to vote in elections and Town affairs to meet in the Narragansett Regional Middle School, 460 Baldwinville Road, Baldwinville, in said Templeton on:

Thursday, December 5, 2024, at 6:00 p.m.

Then and there to act on the following articles:

ARTICLE 1: MORATORIUM ON WASTE PLASTICS INCINERATION

To see if the Town will vote to enact a Moratorium on Waste Plastics Incineration within Templeton.

This Moratorium when enacted prohibits for a Period of 12 Months Waste Plastics Incineration, AKA Pyrolysis, Advanced Recycling, Gasification, or other high-heat waste facility, treatment or handling of solid waste or waste plastic involving or intending to involve mechanical treatment, heat, or solvents. It further prohibits transport into town of solid waste or waste plastic or stockpiling solid waste or waste plastic or any plastic for the purpose of what is now defined under law as incineration.

WHEREAS, The residents of the town of Templeton have ALREADY been poisoned by contaminants from more than one site or incident and will not AGAIN tolerate new toxic threats anywhere in town; and

WHEREAS, a waste plastic incinerator plant involves 24/7 operation in the vicinity of densely populated neighborhoods, schools, churches, farms, senior living facilities, health care centers, conservation land and/or state forest; and

WHEREAS, scientific evidence demonstrates that use of heat or solvents to incinerate/break down waste plastic releases or threatens to release hazardous pollutants into the environment (e.g. dioxin crude, contaminated hydrocarbon fuels, benzene, PFAS, PDBE, heavy metals); and

WHEREAS, waste plastic incineration and associated handling emits pollution, releases micro plastic dust and contaminants into the environment, involves noise pollution, release of odiferous, noxious gasses, excessive diesel exhaust from trucks, trains, and other machinery used to handle waste plastic, and would be a nuisance to the town and the region, and a blight on its historical character; and

WHEREAS, stockpiling, treating, or handling of large quantities waste plastic related to its incineration, or resultant flammable oils or gasses at any proposed plant presents unacceptable fire and explosion danger to the region and state beyond effective combined response capacity of fire departments of

Templeton, Gardner, Winchendon, Royalston, Phillipston, Hubbardston or other communities along the rail lines; and

WHEREAS, washing or cooling waste plastic before, during, or after processing unduly risks polluting natural resources such as the Otter River and Town Wells; and

WHEREAS, waste plastic incineration plants lack reliable safety or sustainability records and have not shown the technology to be safe and reliable, have a record of toxic emissions, failure, explosion, fire, false claims of sustainability, and bankruptcy; and

WHEREAS, any plan involving handling or transport of tons of flammable oil or gas derived from waste plastic via rail tank cars or other means through Templeton to other Massachusetts' cities and towns risks a derailment disaster such as occurred in East Palestine, Ohio; and

WHEREAS, human life and critical resources and infrastructure such as the electric grid would be put at imminent risk from explosion or fires such as have occurred at other waste plastic incineration or handling sites; and

WHEREAS, residents and officials of communities including Templeton, Winchendon, and others affected, the Regional Planning Board, State and Federal officials require time to investigate the impacts that waste plastic incineration, AKA advanced recycling, pyrolysis, gasification, etc. would have on the community's safety and well-being before any facility that converts, or attempts to convert, waste plastics, into fuel or feedstock through certain chemical conversion processes, including pyrolysis or gasification, starts construction and begins operating; and

WHEREAS, a moratorium will allow time to accomplish this goal:

NOW, THEREFORE, BE IT ORDAINED BY THE RESIDENTS OF TEMPLETON MASSACHUSETTS:

SECTION 1

The Residents and public officials of Templeton hereby imposes a moratorium on construction and operation of any facility that converts, or attempts to convert, waste plastics, into fuel or feedstock through any heat, pressure, or chemical conversion processes, including pyrolysis or gasification, or the import into town of waste plastics for any related purpose, for 12 months.

SECTION 2

That Templeton elected officials and residents find that a moratorium for 12 months is reasonable and will allow for adequate research into these types of facilities and responsive action.

SECTION 3

That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, welfare and safety, the emergency being the necessity to impose a moratorium for a period of 12 months on waste plastic incineration, AKA pyrolysis or gasification, combustion or transport of waste plastic in the Town of Templeton, as above described; and provided it receives an affirmative vote; it shall take effect and be in force from and after the earliest period allowed by law.

Notes and definitions:

Incineration of trash or waste plastic - or turning trash into fuel and then burning that fuel - is expensive, toxic, climate-damaging, and inequitable. Facilities that process waste using high heat technology - including incineration, gasification, pyrolysis, solvolysis, depolymerization, and "advanced recycling" - release toxic pollutants including lead, mercury, and dioxins.

Moreover, emissions from these facilities - and emissions the combustion of fuels and waste products generated through gasification and pyrolysis - contribute to climate damage.

Trash or waste plastic incineration facilities need permits or licenses from town officials before they can open their doors and start burning. This moratorium prohibits Templeton from issuing those permits and licenses for twelve months.

This model also includes a detailed set of definitions that ensure that the prohibition applies to a facility using any type of technology - including gas gasification, pyrolysis, solvolysis, depolymerization, or anything branded as

"chemical recycling," "advanced recycling," or "molecular recycling" - to expose any type of waste -- including household trash, commercial waste, construction debris, recyclables, or waste plastic - to temperatures above 400 degrees Fahrenheit.

Section 1: Definitions

"Depolymerization": a process through which heat, pressure, and/or solvents are used to break plastic polymers into oligomers and/or monomers.

"Gasification": a process through which materials are exposed to heat, converting carbon-based materials to synthetic fuels, gasses, chemical feedstocks, waxes, lubricants, or other substances and solid residues, slag, ash, char, liquid wastes, and/or wastewater.

"Handling": placement of plastic waste on a property within Templeton for future use, transport, oversight, and managing of plastic waste, treatment, storage, or processing of plastic waste - such as changing its character or composition through physical, chemical, or heat treatment.

"High-heat waste facility": a facility which:

- (a) uses any disposal, treatment, recycling, or manufacturing process - including but not limited to combustion, incineration, gasification, pyrolysis, hydrolysis, solvolysis, or depolymerization - that exposes solid waste, segregated solid waste, recyclable materials, construction and demolition debris, post-use polymers, or recovered feedstock to temperatures above 400 degrees Fahrenheit; or
- (b) combusts chemicals, feedstocks, fuels, monomers, oligomers, hydrocarbons, or waste residues derived from any process that exposes solid waste, segregated solid waste, recyclable materials, construction and demolition debris, post- use polymers, or recovered feedstock to temperatures above 400 degrees Fahrenheit.

"High-heat waste facility": includes advanced recycling facilities, chemical recycling facilities, molecular recycling facilities, and any other facility that uses a thermochemical process to convert post-

use polymers, plastic, or recovered feedstock into fuels, chemical feedstocks, monomers, oligomers, hydrocarbons, waxes, lubricants feedstocks, fuels, monomers, oligomers, or hydrocarbons.

"Hydropyrolysis": a process through which materials are exposed to heat in the presence of hydrogen, converting carbon-based materials to synthetic fuels, chemical feedstocks, waxes, lubricants, or other substances and solid residues, slag, ash, char, liquid wastes, and/or wastewater.

"Incineration": any high heat treatment or solid waste incineration units per Clean Air Act section 129 of the clean air act, and including incineration of trash, refuse, or waste plastic.

"Plastic": a synthetic material made from linking monomers through a chemical reaction to create a polymer chain, including material derived from either petroleum or a biologically based polymer, such as corn or other plant sources and includes the thousands of chemicals added for appearance or performance, many of them toxic. Up to 40% plastic is used in tires. Therefore tires are a plastic material.

"Waste Plastic" includes, "Post-use polymer" , "Recovered Feedstock", "Raw Material", "Material", "Feedstock", "Recyclable Plastic", tires, or any polymers discarded or to be discarded, and means a plastic or polymer previously used in industrial, commercial, medical, agricultural, or domestic activity.

"Pyrolysis": a process through which materials are exposed to heat in the absence of oxygen, converting carbon-based materials to synthetic fuels, chemical feedstocks, waxes, lubricants, or other substances and solid residues, slag, ash, char, liquid wastes, and/or wastewater.

"Recovered feedstock": material derived and separated from solid waste, segregated solid waste, recyclable materials, medical, domestic, or construction and demolition (C&D) debris for use as a feedstock or raw material in a high- heat waste facility.

"Solvolyysis": a process through which materials are combined with a solvent and subjected to heat and/or high pressure.

"Treatment": any method, technique, or process-such as neutralization-designed to alter the physical, chemical, or biological character or composition of solid waste. This includes, but is not limited to, the application of heat, radiation, solvents, salts, acids, alkalis, catalysts, and other chemical agents.

Section 2: Prohibition on New High-Heat Waste Facilities

Notwithstanding any other law, rule, or regulation to the contrary, no permit or license shall be issued for the construction or operation of a new high-heat waste facility or incineration facility, and no application for a permit or license for such a facility shall be granted or issued by the town for a period of twelve months.

By Citizen Petition of Rachel Herman and 264 Others
Majority Vote Required

ARTICLE 2: TRANSFER FROM CAPITAL STABILIZATION ACCOUNT FOR SENIOR CENTER KITCHEN PROJECT

To see if the Town will vote to appropriate the sum of One Hundred Seventy Five Thousand Dollars and No Cents (\$175,000.00) from the Capital (CAPEX) stabilization account to be used for the completion of the Senior Center kitchen.

Or take any other action related thereto.

**Submitted by the Select Board
Majority Vote Required**

ARTICLE 3: BYLAW AMENDMENT TO SOLID WASTE MANAGEMENT

To see if the Town will vote to adopt the following Section to:

SOLID WASTE MANAGEMENT

ARTICLE I

Sanitary Landfill

[Adopted 1-15-2020 STM by Art.1]

S 220-1. Restrictions on the use of landfills.

- A. For the benefit of the community and in the best interest of the health and welfare of the people of Templeton, the Sanitary Landfill on Route 202, Templeton, shall be used only by residents, commercial business and industries located within the geographical limits of the Town of Templeton.
- B. Notwithstanding said limitations, individuals, and/or businesses, upon application and issuance of a waiver by the Templeton Board of Health, may use the Sanitary Landfill for garbage and/or refuse of residents, commercial businesses and industries located within the geographical limits of the Town of Templeton.
- C. Excluded shall be the transportation of garbage and refuse from out of town areas to the Templeton Landfill and/or any other properties in the Town of Templeton.

S 220-2. Solid waste defined.

The RCRA¹ states that “solid waste” means any garbage or refuse, sludge from a wastewater treatment plant, water supply treatment plant, or air pollution control facility and other discarded material, resulting from industrial, commercial, mining, and agricultural operations, and from community activities. Nearly everything we do leaves behind some kind of waste. The terms “garbage” and “refuse” shall include but not be limited to waste, wastewater sludge, medical waste, hazardous waste, nuclear waste, trash, bio mix, polymers, and industrial waste.

S 220-3. Paper sludge.

Furthermore, paper sludge in any form, including but not limited to bio mixes with biosolids, shall not be a means of reclamation for erosion control or any other purpose in any gravel pits or sites in Templeton in need of reclamation.

Article II. Regulated Technologies, Solid Waste Handling, and Processing.

S 220-II-1. Regulated Technologies.

Notwithstanding, regulated technologies shall not be used in any form, including but not limited to the use of plastics or used tires as a fuel or fuel substitute or the general use of plastics or used tires in energy production. For the purposes of this section, "regulated technologies" shall include, but not be limited to gasification, pyrolysis, solvolysis, hydro pyrolysis, methanolysis, enzymatic breakdown, combustion, or any other process used to transform plastic or plastic-derived materials into plastic monomers, chemicals, waxes, lubricants, chemical feedstocks, crude oil, diesel, gasoline, or home heating oil.

- (A) A person shall not use, facilitate or otherwise deploy regulated technologies in the Town of Templeton.*
- (B) A person shall not build, construct, establish or operate any facilities that use regulated technologies in the Town of Templeton. The prohibition in this subsection shall apply to the modification or conversion of any existing non-covered facilities in the Town of Templeton into facilities that use regulated technologies.*
- (C) No person shall receive any tax breaks, or any other financial or non-financial incentives to support the development of facilities that use regulated technologies or programs focused on regulated technologies.*

S 220-II-2 Restrictions & prohibitions on solid waste treatment, handling & processing

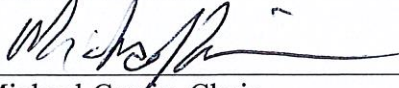
- A. Solid Waste as defined in S 220-II-2 may in the future be redefined as material, feedstock, commodities, or the like. Nevertheless, being the same material by a different name, these may pose hazards and risks when treated, handled, or processed. These include release of hazardous pollutants into environment, toxic particulate matter readily inhaled or absorbed through contact, risks of fire, and contamination of water.
- B. Notwithstanding, such Solid Waste, by any name in the future, is prohibited from transport to any property in the Town of Templeton to be handled, processed, or treated for the purpose of what is now defined under Section 129 of the Clean Air Act as incineration. This is prohibited even if incineration is later defined as manufacturing, treatment, handling, or processing. Also prohibited is application of heat, pressure, chemicals or other treatments to Solid Waste if a significant result is to extract fuel or precursors to fuel or for the purpose of energy generation or any step in making fuel. Stockpiling material for such purposes is also prohibited.

**By Citizen Petition of 119 Residents
Majority Vote Required**

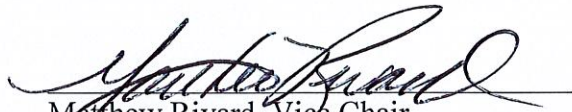
And you are hereby directed to serve this warrant by posting attested copies thereof in each precinct; namely at the Post Office in Templeton, the Post Office in East Templeton, the Post Office in Baldwinville, and at the Town Hall at 160 Patriots Road, East Templeton, fourteen (14) days at least before the time of holding said meeting and by causing notice of the same to be published once in the Gardner News, a newspaper published in said Worcester County, in the City of Gardner.

Given under our hands this 20th day of November, 2024.

SELECT BOARD



Michael Currie, Chair



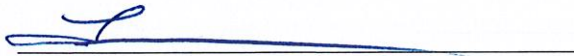
Matthew Rivard, Vice Chair



Jeffrey Bennett, Clerk

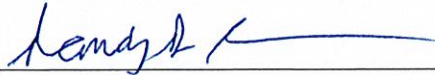


Terry Giffis, Member



Timothy Toth, Member

True Copy: ATTEST



Signature of Constable – Town of Templeton

Rowdy L Brown A-11-24

Printed Name of Constable Signing Above

OFFICERS RETURN

WORCESTER, ss.

November 21, 2024


REC'D 24NOV21AM9:44
TEMPLETON TOWN CLERK

This is to certify that I have served the within warrant by posting attested copies thereof at the Post Office in Templeton, the Post Office in East Templeton, the Post Office in Baldwinville, and at the Town Hall located at 160 Patriots Road in East Templeton fourteen (14) days at least before the time of holding said meeting and by causing notice of the same to be published once in the Gardner News, a newspaper published in said County in the City of Gardner.

 11-21-24

Randy Brown
Constable of Templeton

A True Copy, ATTEST:


Cheryl Kasper
Assistant Town Clerk of Templeton