MAINE STATE LEGISLATURE

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1 2	(EMERGENCY) (After Deadline)
3 4	FIRST REGULAR SESSION
5 6	ONE HUNDRED AND ELEVENTH LEGISLATURE
7 8	Legislative Document No. 1643
9 10 11 12	S.P. 568 Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27. Received by the Secretary of the Senate on May 18, 1983. Referred to the Committee on Energy and Natural Resources and ordered printed pursuant to Joint Rule 14. JOY J. O'BRIEN, Secretary of the Senate Presented by Senator Kany of Kennebec. Cosponsors: Representative Hickey of Augusta, Senator Bustin of Kennebec and Representative Paradis of Augusta.
14 15	STATE OF MAINE
16 17 18	IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-THREE
19 20 21	AN ACT to Include PCB's Within the Definition of Hazardous Wastes.
22 23 24	Emergency preamble. Whereas, Acts of the Legis- lature do not become effective until 90 days after adjournment unless enacted as emergencies; and
25 26 27	Whereas, PCB's can be extremely dangerous to the health and safety of persons coming in contact with them; and
28 29	Whereas, PCB's are not currently included as hazardous waste; and
30 31 32	Whereas, this bill must be entered as emergency legislation to prevent possible health and safety risks from PCB's; and

1	Whereas, in the judgment of the Legislature,
2	these facts create an emergency within the meaning of
3	the Constitution of Maine and require the following
4	legislation as immediately necessary for the preser-
5	vation of the public peace, health and safety; now,
6	therefore,

Be it enacted by the People of the State of Maine as follows:

38 MRSA §1303-A, sub-§1, ¶D is enacted to read:

D. In addition to substances identified by rule, the following substances are hazardous wastes:

(1) Any substance containing polychlorinated biphenyls in concentrations in greater than 50 parts per million. Transformers currently in active service shall not be considered hazardous wastes.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

STATEMENT OF FACT

This bill includes PCB's within the definition of hazardous wastes. Existing transformers that may contain PCB's are not considered hazardous wastes until the transformers are taken out of active service. It is the intent of this legislation that used transformers containing PCB's are to be considered hazardous wastes as soon as the transformers are taken out of service, even if they may later be returned to service.

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