

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 880

S.P. 288

In Senate, February 22, 2005

An Act To Prohibit Municipal Landfill Dumping

Reference to the Committee on Natural Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator STRIMLING of Cumberland.

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

4 **Sec. 1. 38 MRSA §1303-C, sub-§1-B** is enacted to read:

6 **1-B. Bypass waste.** "Bypass waste" means any municipal
8 solid waste destined for disposal, processing or beneficial use
10 at a solid waste facility that cannot be disposed of, processed
12 or beneficially used at that solid waste facility because of
14 malfunction, insufficient capacity, inability of the facility to
16 process or burn the waste, downtime or any other reason.

18 **Sec. 2. 38 MRSA §1304, sub-§§20 and 21** are enacted to read:

20 **20. Bypass waste.** The board shall adopt rules to limit the
22 transfer of bypass waste to solid waste landfills. Rules adopted
24 pursuant to this subsection are routine technical rules as
26 defined in Title 5, chapter 375, subchapter 2-A.

28 **21. Disposal of municipal solid waste in landfill.** The
30 board shall adopt rules to ensure that disposal in a solid waste
32 landfill is not the primary method for disposal of municipal
solid waste. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

SUMMARY

This bill directs the Board of Environmental Protection to adopt rules to limit the transfer of bypass waste to landfills and to ensure that disposal in a landfill is not the primary means for disposal of municipal solid waste.