

MAINE STATE LEGISLATURE

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Date:

6/6/25 MAJORITY

(Filing No. H-537)

ENVIRONMENT AND NATURAL RESOURCES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
132ND LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT "A" to H.P. 197, L.D. 297, "An Act Regarding the Management of Oversized Bulky Waste from Wastewater Treatment Plants"

Amend the bill by striking out the title and substituting the following:

'An Act Regarding the Management of Wastewater Treatment Plant Sludge at the State-owned Landfill'

Amend the bill by striking out everything after the enacting clause and before the emergency clause and inserting the following:

'Sec. 1. 38 MRSA §1310-N, sub-§5-A, ¶B, as amended by PL 2023, c. 517, §5, is further amended by amending subparagraph (2) to read:

(2) A solid waste processing facility that generates residue requiring disposal shall recycle or process into fuel for combustion through methods other than chemical plastic processing all waste accepted at the facility to the maximum extent practicable, but in no case at a rate less than 50%. For purposes of this subsection, "recycle" does not include chemical plastic processing and does include, but is not limited to, plastic-to-plastic recycling; the reuse of waste generated within the State as defined in section 1303-C, subsection 40-A, paragraph C; the recovery of metals from waste; the use of waste or waste-derived product as material substitutes in construction; and the use of waste as boiler fuel substitutes.

At least 50% of the waste that a solid waste processing facility characterizes as recycled under this subparagraph must have been reused or recycled by the facility through methods other than placement of the waste in a solid waste landfill, except that a solid waste processing facility that was in operation during calendar year 2018, that accepts exclusively construction and demolition debris and that accepted more than 200,000 tons of such debris in calendar year 2018 shall:

(a) Reuse or recycle at least 15% of such debris through methods other than placement in a solid waste landfill by July 1, 2024 2026;

(b) Reuse or recycle at least 20% of such debris through methods other than placement in a solid waste landfill by July 1, ~~2025~~ 2027;

(c) Reuse or recycle at least 30% of such debris through methods other than placement in a solid waste landfill by July 1, ~~2026~~ 2028;

(d) Reuse or recycle at least 40% of such debris through methods other than placement in a solid waste landfill by July 1, ~~2027~~ 2029; and

(e) Reuse or recycle at least 50% of such debris through methods other than placement in a solid waste landfill by July 1, ~~2028~~ 2030.

Sec. 2. PL 2023, c. 283, §2 is amended to read:

Sec. 2. Temporary allowance for disposal or placement of oversized bulky waste in landfill. Notwithstanding any provision of the Maine Revised Statutes, Title 38, section 1303-C, subsection 40-A to the contrary, for the period beginning ~~on the effective date of this Act~~ June 23, 2023 and ending July 1, ~~2025~~ 2027:

1. If in any 12-month period the total weight of the residue generated by a solid waste processing facility and disposed of or otherwise placed in a solid waste landfill exceeds the total weight of the solid waste initially generated within the State that was processed by the facility in that 12-month period, such excess residue, not to exceed 25,000 tons in that 12-month period, is deemed to be waste generated within the State within the meaning of Title 38, section 1303-C, subsection 40-A, as long as that excess residue is composed of oversized bulky waste and is disposed of or otherwise placed in a state-owned solid waste landfill; ~~and~~

1-A. Any additional excess residue associated with the processing of the oversized bulky waste amount identified in subsection 1 generated by the solid waste processing facility in that 12-month period and used at a solid waste landfill, not to exceed 75,000 tons in that 12-month period, is deemed to be waste generated within the State within the meaning of Title 38, section 1303-C, subsection 40-A, as long as that additional excess residue is not composed of oversized bulky waste and is used at a state-owned solid waste landfill as daily cover; and

2. Any excess residue, other than the excess residue identified in ~~subsection~~ subsections 1 and 1-A, generated by the solid waste processing facility in that 12-month period is deemed not to be waste generated within the State within the meaning of Title 38, section 1303-C, subsection 40-A.

As used in this section, "oversized bulky waste" means large items of solid waste that are residue from processing construction and demolition debris, including, but not limited to, household appliances, furniture and mattresses.

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Remediation and Waste Management 0247

Initiative: Provides one-time allocations to authorize the expenditure of additional revenue from tipping fees.

OTHER SPECIAL REVENUE FUNDS

2025-26

2026-27

All Other	\$150,000	\$150,000
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$150,000</u>	<u>\$150,000</u>

Sec. 4. Retroactivity. This Act applies retroactively to June 23, 2023.¹

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment, which is the majority report of the committee, replaces the bill, changes the title and adds an appropriations and allocations section and does the following.

1. It amends the law regarding the reuse or recycling of construction and demolition debris by certain solid waste processing facilities that were in operation during calendar year 2018 and that accept exclusively construction and demolition debris by extending the dates by which such facilities must reuse or recycle a certain percentage of such debris through methods other than placement in a solid waste landfill.

2. Public Law 2023, chapter 283, section 2, which took effect June 23, 2023, provides that for the period ending July 1, 2025, if in any 12-month period the total weight of the residue generated by a solid waste processing facility and disposed of or otherwise placed in a solid waste landfill exceeds the total weight of the solid waste initially generated within the State that was processed by the facility in that 12-month period, such excess residue, not to exceed 25,000 tons in that 12-month period, is deemed to be waste generated within the State, as long as that excess residue is composed of oversized bulky waste and is disposed of or otherwise placed in a state-owned solid waste landfill. Under that public law, any other excess residue generated by the facility in that 12-month period is deemed not to be waste generated within the State. The amendment amends that section of the public law to extend the end date of the period in which the law applies to July 1, 2027. It also provides that any additional excess residue associated with the processing of the 25,000 tons of oversized bulky waste amount generated by the solid waste processing facility in that 12-month period and used at a solid waste landfill, not to exceed 75,000 tons in that 12-month period, is deemed to be waste generated within the State, as long as that additional excess residue is not composed of oversized bulky waste and is used at a state-owned solid waste landfill as daily cover.

The changes to these laws provided in the amendment are made retroactive to June 23, 2023.

FISCAL NOTE REQUIRED

(See attached)

**132nd MAINE LEGISLATURE****LD 297****LR 813(02)****An Act Regarding the Management of Oversized Bulky Waste from Wastewater Treatment Plants**

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-537)
Committee: Environment and Natural Resources
Fiscal Note Required: Yes

Fiscal Note

	FY 2025-26	FY 2026-27	Projections FY 2027-28	Projections FY 2028-29
Appropriations/Allocations				
Other Special Revenue Funds	\$150,000	\$150,000	\$0	\$0
Revenue				
Other Special Revenue Funds	\$150,000	\$150,000	\$0	\$0

Fiscal Detail and Notes

This bill extends deadlines related to the reuse and recycling of construction and demolition debris, allowing oversized bulky waste to continue being accepted at the current tipping fee of \$2 per ton until July 1, 2027. The Department of Environmental Protection estimates that approximately 75,000 tons of eligible waste will be accepted under these provisions, generating an estimated \$150,000 in additional Other Special Revenue Funds revenue in fiscal years 2025–26 and 2026–27. The bill includes one-time allocations to authorize the expenditure of the additional revenue.