

# MAINE STATE LEGISLATURE

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# 132nd MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2025

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Legislative Document

No. 1793

S.P. 695

In Senate, April 24, 2025

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### **An Act to Improve Management and Reduce the Volume of Solid Waste**

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

A handwritten signature in black ink, appearing to read "D M Grant", is positioned above the printed name of the Secretary of the Senate.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator GROHOSKI of Hancock.

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

2           **Sec. 1. 38 MRSA §1304, sub-§1-E** is enacted to read:

3           **1-E. Authority of department.** In accordance with the requirements of this chapter  
4 and chapter 24, the department, as directed by the commissioner and the Director of the  
5 Bureau of Remediation and Waste Management identified in Title 5, section 938,  
6 subsection 1-A, paragraph G, shall take all actions necessary to ensure that solid waste,  
7 hazardous waste, special waste and other waste materials in the State are managed in a  
8 manner consistent with the policy in section 1302, the solid waste management hierarchy  
9 in section 2101, the food recovery hierarchy in section 2101-B and the state goals for  
10 recycling and waste disposal reduction in section 2132, including, but not limited to:

11           A. Development and implementation or adoption of rules, policies, programs and  
12 incentives designed to reduce the volume of solid waste requiring disposal; reduce the  
13 cost to taxpayers of managing waste materials; protect the public health and safety;  
14 enhance and maintain the quality of the environment; and prevent air, water and land  
15 pollution;

16           B. Provision of technical, financial and other assistance and guidance to  
17 municipalities, regional entities and other persons in the management of wastes,  
18 including, but not limited to, the assistance described in subsection 4 and in section  
19 2133, section 2162 and section 2201. The department shall employ or contract for the  
20 staffing necessary to provide this assistance;

21           C. Administration of grants and other programs to support waste reduction initiatives,  
22 including, but not limited to, grants through the Maine Solid Waste Diversion Grant  
23 Program under section 2201-B; and

24           D. Collaboration with other state agencies and stakeholders to advance solid waste  
25 management solutions.

26           **Sec. 2. 38 MRSA §1304, sub-§21** is enacted to read:

27           **21. Waste solutions task force.** The commissioner shall convene a task force  
28 consisting of the Director of the Bureau of Remediation and Waste Management identified  
29 in Title 5, section 938, subsection 1-A, paragraph G, other department staff and other  
30 participants, as determined by the commissioner, including, but not limited to, municipal  
31 officials, waste haulers, solid waste processors, incineration facilities and solid waste  
32 landfills to:

33           A. Identify and recommend cost-effective waste management practices;

34           B. Review and make recommendations regarding the state waste management and  
35 recycling plan under section 2122 and the product stewardship report required under  
36 section 1772, subsection 1;

37           C. Develop plans to assist municipalities and other persons in implementing waste  
38 reduction strategies;

39           D. Promote municipal and regional waste management solutions;

40           E. Enhance the efficiency of waste transportation; and

1       F. Develop other findings and recommendations to improve solid waste management  
2       practices, reduce solid waste volumes and associated costs and reduce the  
3       environmental impacts of the waste management industry.

4       On or before January 15, 2027 and biennially thereafter, the department shall submit a  
5       report to the joint standing committee of the Legislature having jurisdiction over  
6       environment and natural resources matters setting forth the findings and recommendations  
7       of the task force under this subsection. After reviewing the report, the committee may  
8       report out related legislation. The report required by this subsection may be included in  
9       the report required by section 2124-A.

10       **Sec. 3. 38 MRSA §1310-N, sub-§2-H** is enacted to read:

11       **2-H. Additional requirements for license applications beginning January 1, 2026.**

12       Notwithstanding any provision of law to the contrary, beginning January 1, 2026, an  
13       applicant for a new license or an amendment to a previously issued license under this  
14       chapter, including an applicant for a license transfer under section 1310-Q and an applicant  
15       for a public benefit determination under section 1310-AA, shall submit with its license  
16       application a description of:

17       A. The methods by which the applicant will collaborate with communities surrounding  
18       the facility in, and solicit and accept community input regarding, the development and  
19       operation of the facility; and

20       B. The applicant's plans for conducting comprehensive reviews of any input received  
21       pursuant to paragraph A for implementation of cost savings, waste reduction or other  
22       strategies or measures at the facility.

23       The department may require as a condition of licensure under this chapter requirements for  
24       an applicant to implement measures designed to ensure meaningful community  
25       participation if the department determines that the applicant's submissions under  
26       paragraphs A and B are insufficient.

27       The department may adopt rules to implement this subsection, including, but not limited  
28       to, rules defining the minimum standards for community participation and rules requiring  
29       community participation measures for all facilities licensed under this chapter. Rules  
30       adopted by the department pursuant to this subsection are routine technical rules as defined  
31       in Title 5, chapter 375, subchapter 2-A.

32       **Sec. 4. 38 MRSA §1310-N, sub-§13** is enacted to read:

33       **13. Licensing data.** Notwithstanding any provision of law to the contrary, the  
34       department shall require a licensee under this chapter to annually report to the department,  
35       on a schedule and in a manner determined by the department, information regarding the  
36       origin, volume and disposition of waste materials managed by the licensee and any other  
37       information required by the department. The department shall allow a licensee to report  
38       aggregated information in a manner that does not require the submission of individual  
39       customer information or contractual information. The department shall ensure that all  
40       information reported to the department pursuant to this subsection is made available on its  
41       publicly accessible website.

42       **Sec. 5. 38 MRSA §2201-B, sub-§4,** as enacted by PL 2015, c. 461, §7, is amended  
43       to read:

**4. Eligibility criteria.** The department may disburse grants under the program to any public or private entity demonstrating that a proposed program, project, initiative or activity is, in the department's determination, likely to increase the diversion of solid waste from disposal within a particular community, municipality or region or the State, including, but not limited to, municipal or regional composting, organics recovery or recycling programs, including the establishment of such programs or the purchase of infrastructure, equipment or other items necessary to implement such programs or improve existing programs; programs designed to provide equipment for or otherwise support residential composting and recycling; programs or business models designed to collect, transport for processing or process organic or recyclable materials; pilot programs designed to evaluate the feasibility of targeted composting, organics recovery, recycling or other waste management programs or initiatives; and initiatives or programs designed to educate certain categories of individuals or the general public about composting, organics recovery or recycling or to otherwise improve individual or community waste management practices. Grants disbursed by the department under the program to public and regional entities may cover necessary costs incidental to or associated with the implementation of a proposed program, project, initiative or activity, including, but not limited to, the hiring of or contracting with consultants or specialists, the conducting of feasibility studies and the promotion of collaborative regional efforts.

**Sec. 6. Department of Environmental Protection; waste management solutions pilot program.** The Department of Environmental Protection shall develop and implement a pilot program designed to evaluate innovative solid waste management solutions, which may include, but is not limited to, engaging in or facilitating the following activities:

1. Funding of studies to evaluate current waste disposal processes and associated costs;
2. Developing and testing incentives to reduce waste management volumes; and
3. Assessing the feasibility and cost savings associated with contracting for waste collection and transportation services across a region.

On or before January 15, 2027, the department shall submit to the joint standing committee of the Legislature having jurisdiction over environment and natural resources matters a report outlining the results of the pilot program under this section and including any recommendations for legislative action. After reviewing the report, the committee may report out related legislation to the 133rd Legislature in 2027.

## SUMMARY

This bill implements the following measures concerning the management and regulation of waste in the State.

1. It clarifies the authority of the Department of Environmental Protection to manage waste within the State, as directed by the Commissioner of Environmental Protection and the Director of the Bureau of Remediation and Waste Management within the department identified in the Maine Revised Statutes, Title 5, section 938, subsection 1-A, paragraph G.
2. It directs the commissioner to convene a task force consisting of department staff and other stakeholders to develop recommendations to improve solid waste management practices, reduce solid waste volumes and associated costs and reduce the environmental

1 impacts of the waste management industry. The department is required to submit a report  
2 by January 15, 2027, and biennially thereafter, regarding the task force's findings and  
3 recommendations to the joint standing committee of the Legislature having jurisdiction  
4 over environment and natural resources matters, which may report out related legislation.

5 3. It requires that, beginning January 1, 2026, an applicant for a new or amended waste  
6 facility license must submit with its license application a description of the methods by  
7 which the applicant will collaborate with communities surrounding the facility in, and  
8 solicit and accept community input regarding, the development and operation of the facility  
9 and conduct comprehensive reviews of any such input.

10 4. It requires a waste facility licensee to annually report to the department information  
11 regarding the origin, volume and disposition of waste materials managed by the licensee  
12 and any other information required by the department. The licensee may report aggregated  
13 information in a manner that does not require the submission of individual customer  
14 information or contractual information, and the department is required to make all such  
15 reported information available on its publicly accessible website.

16 5. It amends eligibility criteria for grants under the Maine Solid Waste Diversion Grant  
17 Program established in Title 38, section 2201-B to authorize disbursement of grants to  
18 public and regional entities to cover necessary costs incidental to or associated with the  
19 implementation of a proposed program, project, initiative or activity, including, but not  
20 limited to, the hiring of or contracting with consultants or specialists, the conducting of  
21 feasibility studies and the promotion of collaborative regional efforts.

22 6. It requires the department to develop and implement a pilot program designed to  
23 evaluate innovative solid waste management solutions, which may include, but is not  
24 limited to: funding of studies to evaluate current waste disposal processes and associated  
25 costs; developing and testing incentives to reduce waste management volumes; and  
26 assessing the feasibility and cost savings associated with contracting for waste collection  
27 and transportation services across a region. On or before January 15, 2027, the department  
28 is required to submit to the joint standing committee of the Legislature having jurisdiction  
29 over environment and natural resources matters a report outlining the results of the pilot  
30 program and including any recommendations for legislative action. After reviewing the  
31 report, the committee may report out related legislation.