

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 859

H. P. 643

House of Representatives, February 13, 1973

Referred to Committee on Natural Resources. Sent up for concurrence and ordered printed.

E. LOUISE LINCOLN, Clerk

Presented by Mrs. Berube of Lewiston.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

AN ACT to Revise the Law Prohibiting the Location of Dumps within 300 Feet of Classified Bodies of Water.

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

R. S., T. 38, § 421, amended. Section 421 of Title 38 of the Revised Statutes, as enacted by chapter 440 of the public laws of 1971, and as amended, is further amended by adding a new paragraph at the end to read as follows:

Notwithstanding this section, if the Board of Environmental Protection shall determine from an examination of soil conditions, groundwater characteristics, climatic conditions, topography, the nature and amount of the solid waste and other appropriate factors, that the deposit of solid waste within an area less than 300 feet from any classified body of water, will not result in an unlicensed direct or indirect discharge of pollutants to such body of water, it may, after notice and hearing, permit the deposit of solid waste within such area, upon such terms and conditions as it deems necessary. Permits issued pursuant to this section shall be for a term of not more than 2 years but may be renewed for successive 2-year terms after reexamination pursuant to this chapter.

STATEMENT OF FACT

This bill amends the present law which absolutely prohibits the disposal of solid waste within 300 feet of a classified body of water.

Under the provisions of this bill, the Board of Environmental Protection may grant a permit to establish a solid waste disposal area closer than 300 feet to a classified body of water.