

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
106TH LEGISLATURE

COMMITTEE AMENDMENT " A " to H.P. 1146, L.D. 1595, Bill, "AN ACT Adopting Emission Regulations of the Department of Environmental Protection."

Amend said Bill by striking out all of the first paragraph of section 3 and inserting in place thereof the following:

'Sec. 3. R. S., T. 38, § 582, sub-§§ 7-A - 7-F, additional.
Section 582 of Title 38 of the Revised Statutes, as enacted by section 1 of chapter 474 of the public laws of 1969, and as amended, is further amended by adding 6 new subsections, 7-A to 7-F, to read as follows:'

Further amend said Bill in section 3 by inserting before that part designated "8-A", the following:

'Sec. 4. R. S., T. 38, § 582, sub-§§ 8-A and 8-B, additional.
Section 582 of Title 38 of the Revised Statutes, as enacted by section 1 of chapter 474 of the public laws of 1969, and as amended, is further amended by adding 2 new subsections 8-A and 8-B, to read as follows:'

Further amend said Bill in section 3 in that part designated "8-A" by inserting in the 2nd line (1st and 2nd lines of L.D.) after the underlined words "capability of" the underlined word 'non black'

Further amend said Bill in section 3 by inserting before that part designated "9-A" the following:

'Sec. 5. R. S., T. 38, § 582, sub-§ 9-A, additional. Section 582 of Title 38 of the Revised Statutes, as enacted by section 1 of chapter 474 of the public laws of 1969, and as amended, is further amended by adding a new subsection 9-A, to read as follows:'

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Further amend said Bill in section 6 by inserting in the 10th line (8th line of L.D.) after the underlined words "of any" and before the underlined word "emissions" the underlined word 'black'

Further amend said Bill in section 8 in subsection 1 of that part designated "§599." by striking out all of paragraph B and inserting in place thereof the following:

'B. Except as provided in subsection 2, open burning of waste of any kind is prohibited after July 1, 1975.'

Further amend said Bill by striking out all of subsection 4 of that part designated "§599." and inserting in place thereof the following:

'4. Reports. The progress reports listed in this subsection shall be submitted to the board on or before the date indicated by any person using open burning as a method of waste disposal:

A. November 1, 1973: Status report on forms supplied by the department;

B. April 15, 1974: A status report on forms supplied by the department indicating that the necessary studies and investigations and preparation of final plans is progressing to insure compliance with paragraph C.

Such a report should include, but is not limited to, location and method of waste disposal for which final plans are being prepared and name of in-house or contracted person responsible for the preparation of such plans;

C. October 1, 1974: Final plans for proposed waste disposal facilities including detailed engineering plans and necessary site acquisition, said final plans to be subject to board

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review and approval under applicable laws and regulations;

D. April 15, 1975: Copies of executed contracts or agreements necessary to implement the approved final plans including acquisition of land and acquisition, installation and construction of structures and equipment;

E. July 1, 1975: Certification of Compliance.'

Statement of Fact

The purpose of this amendment is to make this bill consistent with L.D. 835 regarding municipal open burning dumps. The Natural Resources Committee, by a divided report, recommended that such dumps be permitted to continue open burning until July 1, 1975, a year beyond the date permitted by this bill in its original form.

By extending the final deadline to 1975, the interim compliance schedule must also be corrected to insure that compliance will be achieved by the final date. It has been the department's experience that such compliance schedules serve a two-fold purpose by enabling the department to review the progress toward a final goal and reminding the parties of their commitment.

It is also the purpose of this amendment to correct omissions in transcribing regulations as adopted by the Board of Environmental Protection into legislation. This amendment clarifies the fact that opacity applies only to non-black emissions (e.g. shades of brown, yellow, red and white) and Ringelmann numbers only to black or gray visible emissions.

Reported by the Committee on Natural Resources.

Reproduced and distributed under the direction of the Clerk of the House.
5/17/73

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