

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1313

H. P. 1089

House of Representatives, March 28, 1977

Referred to the Committee on Natural Resources. Sent up for concurrence and 1,800 copies ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Wilfong of Stow.

Cosponsor: Mr. Spencer of Standish.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT Concerning the Storage of Nuclear Waste in Maine.

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

Sec. 1. 17 MRSA § 2253, 1st and 2nd ¶¶'s, as enacted by PL 1969, c. 570, are repealed and the following enacted in their place:

As used in this section, "waste matter" means garbage, refuse, solid or liquid waste, ashes, rubbish, industrial and commercial waste and all other refuse of every description, whether loose, in containers, compacted, baled, bundled or otherwise, including wastes from any nuclear fuel cycle or uranium fuel cycle.

1. Nuclear fuel cycle. "Nuclear fuel cycle" means the operations defined to be associated with the production of electrical power for public use by any fuel cycle through utilization of nuclear energy.

2. Uranium fuel cycle. "Uranium fuel cycle" means the operations of milling of uranium ore, chemical conversion of uranium, isotopic enrichment of uranium, fabrication of uranium fuel, generation of electricity by a light-water-cooled nuclear power plant using uranium fuel and reprocessing of spent uranium fuel, to the extent that these directly support the production of electrical power for public use utilizing nuclear energy, but excludes mining operations, operations at waste disposal sites, transportation of any radioactive material in support of these operations and the reuse of recovered nonuranium special nuclear and by-product materials from the cycle.

No person, firm, corporation or other legal entity shall deposit, or cause or permit to be deposited, any waste matter in any structure or on or within any land within the State, which waste matter originated outside the State.

Sec. 2. 30 MRSA § 4104, as last amended by PL 1975, c. 126, is further amended by adding at the end the following new sentence:

Nuclear wastes as defined in Title 38, section 1303, subsections 4-A, 7 and 10 shall not be included in this provision.

Sec. 3. 30 MRSA § 4105, as enacted by PL 1973, c. 601, is amended by adding before the first sentence the following new sentence:

No person, firm, corporation or other legal entity shall dispose of any nuclear waste as defined in Title 38, section 1303, subsections 4-A, 7 and 10 on or within any land or soil, except as provided by Act of the Legislature and acceptance of the act by a majority of the legal voters of the State.

Sec. 4. 38 MRSA § 1302, as enacted by PL 1973, c. 387, is amended by adding at the end the following new paragraph:

The Legislature further finds that the location and design of solid waste disposal facilities for the disposal of nuclear wastes is of extreme importance and concern to the people of the State and thereby, declares that no solid waste disposal facility for nuclear waste shall be located in Maine for nuclear wastes originating in Maine, except by an Act of the Legislature and acceptance of the act by a majority of the legal voters of the State.

Sec. 5. 38 MRSA § 1303, sub-§ 4-A is enacted to read:

4-A. Nuclear fuel cycle. "Nuclear fuel cycle" means the operations defined to be associated with the production of electrical power for public use by any fuel cycle through utilization of nuclear energy.

Sec. 6. 38 MRSA § 1303, sub-§ 7 is amended to read:

7. Solid waste. "Solid waste" means useless, unwanted or discarded solid material with insufficient liquid content to be free flowing, including by way of example, and not by limitation, rubbish, garbage, scrap materials, junk, refuse, inert fill material and landscape refuse, including wastes from any nuclear fuel cycle or uranium fuel cycle, but shall not include septic tank sludge or agricultural wastes.

Sec. 7. 38 MRSA § 1303, sub-§ 10 is enacted to read:

10. Uranium fuel cycle. "Uranium fuel cycle" means the operations of milling of uranium ore, chemical conversion of uranium, isotopic enrichment of uranium, fabrication of uranium fuel, generation of electricity by a light-water-cooled nuclear power plant using uranium fuel, and reprocessing of spent uranium fuel to the extent that these directly support the production of electrical power for public use utilizing nuclear energy, but excludes mining operations, operations at waste disposal sites, transportation of any radioactive material in support of these operations and the reuse of recovered nonuranium special nuclear and by-product materials from the cycle.

Sec. 8. 38 MRSA § 1304, sub-§ 1, as amended by PL 1975, c. 577, is further amended by adding at the beginning of the 2nd paragraph the following new sentence:

No regulation may be adopted to provide for solid waste disposal facilities for nuclear waste, except as permitted by a specific Act of the Legislature and acceptance of the act by the legal voters of the State at an election for that purpose.

STATEMENT OF FACT

This bill will prohibit the dumping of nuclear wastes in Maine which originate out of state. In addition, it provides that any facility for nuclear wastes originating in Maine shall not be established without express legislation and approval by a majority of the legal voters of the State. It also prohibits establishment of a dumping site by a municipality for any nuclear wastes and prohibits any individual from dumping such wastes on or in any land in the State.