

# MAINE STATE LEGISLATURE

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1 SECOND REGULAR SESSION  
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE  
4

5 Legislative Document

No. 1891

6  
7 S.P. 684

In Senate, January 10, 1984

8 Submitted by the Department of Environmental Protection pursuant to  
9 Joint Rule 24.

10 Reference to the Committee on Energy and Natural Resources is  
suggested and ordered printed.

JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Pearson of Penobscot.

11 Cosponsors: Representative Hall of Sangerville, Representative McGowan  
of Pittsfield and Representative Bost of Orono.

12 STATE OF MAINE  
13

14 IN THE YEAR OF OUR LORD  
15 NINETEEN HUNDRED AND EIGHTY-FOUR  
16

17 AN ACT to Identify Polychlorinated  
18 Biphenyls as Hazardous Waste.  
19

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

22 38 MRSA §1303-A, sub-§1, ¶D is enacted to read:

23 D. In addition to hazardous waste identified under  
24 subsection 1, paragraph A, the Legislature  
25 identifies the following chemicals, materials,  
26 substances or waste as being hazardous waste:

27 (1) Polychlorinated biphenyls and any sub-  
28 stance containing polychlorinated biphenyls  
29 in a concentration of 50 parts per million  
30 or greater, provided that the  
31 polychlorinated biphenyls or the substance  
32 containing polychlorinated biphenyls is not  
33 in active service.

1 STATEMENT OF FACT

2 This bill includes polychlorinated biphenyls  
3 within the definition of a hazardous waste in Maine,  
4 although polychlorinated biphenyls are not currently  
5 classified as a hazardous waste by the United States  
6 Environmental Protection Agency. Devices, such as  
7 transformers or capacitors which contain  
8 polychlorinated biphenyls but are currently in ser-  
9 vice and functioning properly, are excluded from reg-  
10 ulation until such time when they are taken out of  
11 service or fail to operate properly.

12 It is estimated that additional revenue between  
13 \$3,000 and \$10,000 will accrue to the Maine Hazardous  
14 Waste Fund during fiscal year 1985 as a result of  
15 this action.

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