

MAINE STATE LEGISLATURE

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(Emergency)
(After Deadline)
FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 1679

S.P. 562 In Senate, May 28, 1987
Approved for Introduction by a Majority of the Legislative
Council pursuant to Joint Rule 27.

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

JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator DUTREMBLE of York.

Cosponsored by Representative MURPHY of Kennebunk,
Representative MCSWEENEY of Old Orchard Beach, Representative
NADEAU of Saco.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

1 AN ACT to Require Testing of Dioxin Levels at
2 the Maine Energy Recovery Corporation.
3

4 Emergency preamble. Whereas, Acts of the Legis-
5 lature do not become effective until 90 days after
6 adjournment unless enacted as emergencies; and

7 Whereas, the emission of dioxin by resource re-
8 covery facilities or incinerators is of vital impor-
9 tance to those affected; and

10 Whereas, the Legislature has determined that uni-
11 form testing for dioxin at such new or existing fa-
12 cilities is in the best interests of the State; and

1 Whereas, in the judgment of the Legislature,
2 these facts create an emergency within the meaning of
3 the Constitution of Maine and require the following
4 legislation as immediately necessary for the preser-
5 vation of the public peace, health and safety; now,
6 therefore,

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

9 Sec. 1. 38 MRSA §590, as amended by PL 1985, c.
10 745, §§1 and 2, is further amended by adding at the
11 end a new paragraph to read:

12 Any resource recovery facility or incinerator, as
13 defined by section 582, applying for a new or renewed
14 license under this section shall undergo a test for
15 the presence of dioxin. The board may issue or renew
16 the license only if the dioxin level is acceptable,
17 as established by rule of the board. The cost of any
18 testing required by this section shall be borne by
19 the facility.

20 Sec. 2. Transition clause. Any resource recov-
21 ery facility or incinerator subject to the Maine Re-
22 vised Statutes, Title 38, section 590, prior to the
23 effective date of this Act shall be required to ob-
24 tain a license amendment prior to January 31, 1988,
25 showing conformity with this Act.

26 Emergency clause. In view of the emergency cited
27 in the preamble, this Act shall take effect when ap-
28 proved.

1 STATEMENT OF FACT

2 This bill requires the following:

3 1. A dioxin test shall be required at any facil-
4 ity for which a license has not been issued by the
5 effective date of this Act, including those facili-
6 ties for which an application may be pending; and

7 2. For facilities which were licensed prior to
8 the effective date of this Act, they must obtain a
9 license amendment prior to January 31, 1988, showing
10 compliance with the dioxin requirements of this Act.

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