

# MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

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ONE HUNDRED AND THIRTEENTH LEGISLATURE

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Legislative Document

NO. 2461

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H.P. 1797                      House of Representatives, March 7, 1988  
Reference to the Committee on Energy and Natural  
Resources suggested and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative DEXTER of Kingfield.

Cosponsored by Senators RANDALL of Washington, PERKINS of  
Hancock and Representative TRACY of Rome.

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STATE OF MAINE

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

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1                      **AN ACT to Prohibit the Sale of**  
2                      **Polystyrene Foam Products**  
3                      **Containing Chlorofluorocarbons.**  
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5                      Be it enacted by the People of the State of Maine as  
6                      follows:

7                      Sec. 1.    38 MRSA §1310-K, sub-§1, ¶¶D and E, as  
8                      enacted by PL 1987, c. 517, §25, are amended to read:

1 D. The categories of industrial waste which  
2 present opportunities for reuse; and

3 E. Opportunities to reduce waste quantities by  
4 reducing generation at the source; and

5 Sec. 2. 38 MRSa §1310-K, sub-§1, ¶F is enacted  
6 to read:

7 F. The impact of nonbiodegradable polystyrene  
8 foam products on landfill space.

9 Sec. 3. 38 MRSa §1603 is enacted to read:

10 §1603. Polystyrene foam products

11 1. Prohibition. After January 1, 1989, no person  
12 may sell or offer to sell in this State any  
13 polystyrene foam product which is manufactured with  
14 fully halogenated chlorofluoroalkanes, also known as  
15 chlorofluorocarbons, and which is used in consumer  
16 goods or in the packaging of consumer goods,  
17 including, without limitation, food and beverage  
18 packaging.

19 2. Compliance. All distributors engaged in the  
20 sale of polystyrene foam products which contain  
21 chlorofluorocarbons shall certify to the Department of  
22 Environmental Protection by January 31, 1989, their  
23 compliance with subsection 1.

24 STATEMENT OF FACT

25 This bill reduces the risk of injury resulting  
26 from stratospheric ozone depletion posed by the  
27 release of chlorofluorocarbons. A reduction of  
28 stratospheric ozone increases the amount of damaging  
29 ultraviolet radiation reaching the earth and, as a  
30 result, might increase the incidence of skin cancer  
31 and cataracts, change the climate and produce other  
32 adverse effects.

33 Chlorofluorocarbons are often used as a foaming  
34 agent in making cups, plates and other food packaging

1 containers from polystyrene plastic. It is also used  
2 in making the polystyrene foam used in beverage  
3 coolers, some toys and other short life-span consumer  
4 products. This bill prohibits the sale of  
5 chlorofluorocarbon-containing polystyrene foam  
6 products in the State.

7 This bill also mandates the Office of Waste  
8 Recycling and Reduction to include in its report to  
9 the Legislature on recycling and waste disposal  
10 problems the impact of nonbiodegradable polystyrene  
11 foam products on landfill space.

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