

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 468

H.P. 349

House of Representatives, February 27, 1989

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

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative MICHAUD of East Millinocket.

Cosponsored by Representative JACQUES of Waterville, Representative DEXTER of Kingfield and Senator KANY of Kennebec.

STATE OF MAINE

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

An Act to Ban the Use of Chlorofluorocarbons in All Plastic Foam
Boards.



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

3 **38 MRSA §1603**, as enacted by PL 1987, c. 752, §3, is amended
5 to read:

7 **§1603. Foam products**

9 1. **Prohibition on foam sheets.** After January 1, 1989, no
11 person may sell or offer to sell in this State any product
13 composed in whole or in part of ~~thermoformed-extruded-polystyrene~~
foam sheets if the foam is manufactured using any fully
halogenated chlorofluorocarbon found by the United States
Environmental Protection Agency to be an ozone-depleting chemical.

15 2. **Prohibition on foam board.** No person may sell or offer
17 to sell in this State any product composed in whole or in part of
~~extruded-polystyrene~~ foam board if:

19 A. The foam is manufactured using any fully halogenated
21 chlorofluorocarbons found by the United States Environmental
Protection Agency to be an ozone-depleting chemical; and

23 B. A substitute for fully halogenated chlorofluorocarbon
25 blowing agents is available and found to meet public health
and safety standards by all applicable federal and state
27 agencies.

29 3. **Compliance.** All distributors engaged in the sale or
distribution of ~~extruded-polystyrene~~ foam products in Maine which
are manufactured using chlorofluorocarbons shall certify to the
31 Department of Environmental Protection by January 31, 1989, their
compliance with subsection 1, or their scheduled compliance with
33 subsection 2.

35
37 **STATEMENT OF FACT**

39 The 113th Legislature enacted legislation effective January
1, 1989, that prohibited the sale of any extruded polystyrene
41 foam products in Maine which are manufactured using
chlorofluorocarbons, or CFC's, that are found by the United
43 States Environmental Protection Agency to be ozone-depleting
chemicals. Other foam plastics, however, also contain CFC's.
45 This bill extends the prohibition to any foam products sold in
Maine that contain CFC's to prevent an unfair market advantage to
47 sellers of foam plastics containing CFC's that are not covered
under current law and to further decrease the impact on depletion
49 of the earth's ozone layer.