MAINE STATE LEGISLATURE

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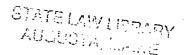
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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1200

H.P. 861

House of Representatives, April 18, 1989

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

EDWIN H. PERT, Clerk

Presented by Representative COLES of Harpswell.

Cosponsored by Senator DUTREMBLE of York, Representative SIMPSON of Casco and Senator ERWIN of Oxford.

STATE OF MAINE

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

An Act to Clarify the Definition of Solid Waste Disposal Facility.

(EMERGENCY)



Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted 3 as emergencies; and 5 Whereas, there is ambiguity in the solid waste management law that must be resolved as soon as possible; and 7 Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and 11 safety; now, therefore, 13 Be it enacted by the People of the State of Maine as follows: 15 38 MRSA §1303, sub-§3, as repealed and replaced by PL 1979, 17 c. 383, §2, is amended to read: 19 Disposal. "Disposal" means the discharge, deposit, З. injection, dumping, spilling, leaking, incineration or placing of 21 any hazardous or solid waste, refuse-derived fuel, sludge or septage into or on any land, air or water so that the hazardous or solid waste, sludge or septage or any constituent thereof may 23 enter the environment or be emitted into the air, or discharged 25 into any waters, including ground waters. 27 Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved. 29 31 STATEMENT OF FACT 33 Currently, incinerators exempted from important are 35 provisions the solidwaste management law, including οf records concerning civil criminal provisions the or 37 applicants, public benefit and recycling determinations escrow accounts. This bill clarifies the intent of Public Law

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1987, chapter 517, the provisions of which are intended to apply

to both landfills and incinerators.