

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1457

H.P. 1046

House of Representatives, May 3, 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 COLES of Harpswell.

Cosponsored by Representative ROLDE of York, Representative KILKELLY of Wiscasset and Senator ESTES of York.

STATE OF MAINE

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

An Act Concerning Solid Waste Management.



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

3 Sec. 1. 38 MRSA §1310-F, sub-§2, as enacted by PL 1987, c.
517, §25, is amended to read:

5 2. Eligibility. Any municipality owning a solid waste
7 landfill for which a remediation or closure plan has been adopted
is eligible for grants. A municipality, which has acted to close
9 its solid waste landfill or to remedy environmental and public
health hazards posed by the landfill prior to the award of a
11 grant under this section, but after January 1, 1983, is also
eligible for reimbursement of past and future costs consistent
13 with the plan adopted under this subchapter. The board may
apportion shall use 1/2 of the available funds ~~in an equitable~~
15 ~~manner between municipalities eligible for grants under this~~
~~subsection and those~~ for municipalities eligible for
17 reimbursement of closure and remediation costs under this
subsection until all those municipalities have been reimbursed.

19 Sec. 2. 38 MRSA §1310-N, sub-§1, as enacted by PL 1987, c.
21 517, §25, is amended to read:

23 1. Licenses. The board shall issue a license for a waste
facility whenever it finds that:

25 A. The facility will not pollute any water of the State,
27 contaminate the ambient air, constitute a hazard to health
or welfare or create a nuisance;

29 B. In the case of a disposal facility, the facility
31 provides a substantial public benefit; and

33 C. In the case of a disposal facility, the volume of the
waste and the risks related to its handling and disposal
35 have been reduced to the maximum practical extent by
recycling and source reduction prior to disposal.

37 In meeting the requirements of this subsection, the board may not
39 apply different engineering design standards for municipal solid
waste landfills based on the size of the population served by the
41 landfills. "Municipal solid waste landfill" has the meaning set
forth in section 1310-C, subsection 4.

43 Sec. 3. 38 MRSA §1310-N, sub-§2-B is enacted to read:

45 2-B. Landfill liners. The board may not issue a license
47 for an attenuation landfill. "Attenuation landfill" means a
landfill designed not to include a liner and not to collect
49 leachate, but to rely on the underlying soils to filter and treat
leachate before it reaches the ground water or bedrock.

51

1

STATEMENT OF FACT

3 Section 1 of the bill states that 1/2 of the funds available
5 in the closure and remediation grants program shall be expended
7 to reimburse municipalities that closed or remedied hazardous
9 solid waste landfills, without receiving a planning grant, after
January 1, 1983. One half of the funds are to be used for this
purpose until all those municipalities are reimbursed.

11 Section 2 states that, in licensing waste facilities, the
13 Board of Environmental Protection may not apply different
engineering design standards for municipal solid waste landfills
serving differently sized populations.

15 Section 3 prohibits the licensing by the Board of
17 Environmental Protection of attenuation landfills. These are
landfills that do not have liners, but rely on the underlying
soils to filter and treat leachate.