

# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1991

Legislative Document

No. 237

H.P. 152

House of Representatives, February 1, 1991

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

EDWIN H. PERT, Clerk

Presented by Representative MARSANO of Belfast.

Cosponsored by Senator GOULD of Waldo and Representative LORD of Waterboro.

STATE OF MAINE

IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY-ONE

An Act Regarding the Closure of Certain Landfills.



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

38 MRSA §1310-G, sub-§§3 and 4 are enacted to read:

3. Closure moratorium. Prior to January 1, 1993, the board may not order the closure of any solid waste landfill open on the effective date of this subsection if the landfill is used by a municipality and is located within 40 miles of an incineration facility and the owner of the incineration facility is seeking to renegotiate its contract for solid waste disposal with the municipality.

4. Temporary reopening. The commissioner shall allow the reopening for a period of 5 years of any solid waste landfill closed under this article or under any prior order of the board if:

A. The applicant is a municipality or municipalities;

B. The reopened facility is to receive only waste generated by the applicant;

C. The applicant demonstrates that the facility has not caused any groundwater contamination, measured at the outer boundary of the facility; and

D. The facility is located within 40 miles of an incineration facility and the owner of the incineration facility is seeking to renegotiate its contract for solid waste disposal with the applicant.

#### STATEMENT OF FACT

The bill provides a temporary solid waste disposal alternative for those towns that currently rely on incineration facilities if the disposal contracts with those facilities are being renegotiated.