## 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)

|     | L.D. 448   |
|-----|--|
| 2   | (Filing No. H-68 )   |
| 4   | (Filing No. A-08 )   |
| 6   |  |
| _   | STATE OF MAINE   |
| 8   | HOUSE OF REPRESENTATIVES 115TH LEGISLATURE   |
| 10  | FIRST REGULAR SESSION  |
| 12  | COMMITTEE AMENDMENT "A" to H.P. 318, L.D. 448, Bill, "An   |
| 14  | Act Concerning Waste Management"   |
| 16  | Amend the bill by inserting after the enacting clause and before section 1 the following:  |
| 18  | 'Sec. 1. 38 MRSA §1303-C, sub-§§12, 13 and 41, as enacted by PL  |
| 20  | 1989, c. 585, Pt. E, §4, are amended to read:  |
| 22  | 12. Disposal. "Disposal" means the discharge, deposit, dumping, incineration, spilling, leaking or placing of any  |
| 24  | hazardous, biomedical or solid waste, waste oil, refuse-derived fuel, sludge or septage into or on any land, air or water so that  |
| 26  | the hazardous, biomedical or solid waste, waste oil, refuse-derived fuel, sludge or septage or any constituent thereof   |
| 28  | may enter the environment or be emitted into the air, or discharged into any waters, including ground waters.  |
| 30  | arbonaryca raco any waters, racraaring ground waters.  |
| 32  | 13. Generation. "Generation" means the act or process of<br>producing hazardous, biomedical or solid waste, waste oil, sludge  |
| 34  | or septage.  |
| 36  | 41. Waste management. "Waste management" means purposeful, systematic and unified control of the handling and transportation of hazardous, biomedical or solid waste, waste oil, sludge or |
| 8 8 | septage.'  |
| 10  | Further amend the bill by striking out all of section 6 (page 2, lines 17 to 20 in L.D.).  |
| 12  | /E-3/ 71100 1. 60 10 11 1101/1   |
|     | Further amend the bill in section 7 in subsection 8 by   |

striking out all of paragraphs A and B (page 2, lines 28 to 31 in L.D.) and inserting in their place the following:

44

## COMMITTEE AMENDMENT "A" to H.P. 318, L.D. 448

| 2  | 'A. The disposal facility is less than one acre in size;   |
|----|--|
| 4  | B. The disposal facility is located on the same parcel of property where the waste is generated; and   |
| 6  | C. Only one exempt disposal facility is located on a single  |
| 8  | parcel of property, except that additional disposal facilities on the same parcel that are less than one acre in   |
| 10 | size and that were in existence prior to the effective date of this subsection do not require a license under this   |
| 12 | chapter if no additional waste is disposed of in those additional facilities after the effective date of this  |
| 14 | subsection.'   |
| 16 | Further amend the bill by renumbering the sections to read consecutively.  |
| 18 | Prother among the hill by inscribe before the statement of   |
| 20 | Further amend the bill by inserting before the statement of fact the following:  |
| 22 | FISCAL NOTE  |
| 24 | This bill exempts the disposal of construction and   |
| 26 | demolition debris, land clearing debris and wood wastes from the solid waste facility licensing law. This change will result in a  |
| 28 | projected annual loss of dedicated revenue to the Maine<br>Environmental Protection Fund in an amount that would not exceed  |
| 30 | \$500 annually. No adjustment of allocations is necessary as a result of this reduction in revenue.'   |
| 32 |  |
| 34 | STATEMENT OF FACT  |
| 36 | This amendment strikes a provision in the bill that prohibited the disposal of yard wastes in solid waste landfills  |
| 38 | and makes other technical corrections to the bill. The changes in definitions correct technical oversights made during the   |
| 40 | Second Regular Session of the 114th Legislature. The creation during that session of a new category of waste, biomedical waste,  |
| 42 | necessitates the inclusion of this new term in the definitions of all the basic terms governing the management of waste. In  |
| 44 | certain instances, the same logic dictates the inclusion of other waste types for the sake of consistency.   |
| 46 |  |
| 48 | The change regarding the proposed exemption for small demolition debris sites is necessary to correct a drafting error. Current Department of Environmental Protection rules |
| 50 | allow this evemption but could be interpreted to allow more than   |

## COMMITTEE AMENDMENT "A" to H.P. 318, L.D. 448

one small site on any given parcel of property. The corrected version of the exemption would close the loophole.

Reported by the Committee on Energy and Natural Resources Reproduced and distributed under the direction of the Clerk of the

(4/2/91)

(Filing No. H-68)