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H.P. 697

House of Representatives, March 11, 1991

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EDWIN H. PERT, Clerk

Presented by Representative HOGLUND of Portland.

STATE OF MAINE

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

An Act to Authorize the Board of Environmental Protection to Adopt Rules Relating to the Proximity of Solid Waste Facilities to Property Boundaries on Islands.

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

38 MRSA §1310-N, sub-§2-C, as affected by PL 1989, c. 890, Pt. A, §40 and amended by Pt. B, §242, is further amended to read:

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2-C. Proximity to property boundaries. The department may not issue a license for a municipal solid waste transfer station in which the handling site will be located within 250 feet of any property boundary, except that on islands, the board shall establish by rule a lesser distance from property boundaries than 250 feet for the location of any solid waste facility. The rule must also include provisions for issuing variances from the distance established by the board.

STATEMENT OF FACT

18 Current law requires a 250-foot setback from any property boundaries for location of a municipal solid waste transfer 20 station. There is no authorization for any variance from this 250-foot setback. This bill recognizes that islands present 22 unique siting issues and requires that the Board of Environmental Protection establish lesser setback requirements for islands and 24 provide for variances from the established setback.