

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1607

S.P. 603

In Senate, April 22, 1991

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.
Reference to the Committee on Energy and Natural Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator DUTREMBLE of York

STATE OF MAINE

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

**An Act to Require Evaluation of Emissions and Health Risks from
Incineration Facilities.**

(AFTER DEADLINE)

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

2
4 Sec. 1. 38 MRSA §590-B, sub-§2, ¶A, as affected by PL 1989, c.
890, Pt. A, §40 and amended by Pt. B, §165, is further amended to
read:

6
8 A. The rules adopted by the board under this section must
10 establish a system of continuous monitoring of the overall
12 air emission performance of resource recovery facilities
14 employing surrogate measures of combustion efficiency and
16 other parameters that, in the judgment of the board, may
18 affect the creation of dioxin emissions and the emission of
20 heavy--metals. The board shall provide for minimum
acceptable operating conditions as indicated by the
surrogate measures. Failure In the event of failure to
achieve and maintain these conditions, the commissioner
shall require will--result--in testing for dioxin and heavy
metals--as--indicated--by--the--surrogate--measures. The rules
must also provide fore the daily monitoring of heavy metal
emissions.

22 Sec. 2. 38 MRSA §590-B, sub-§2-A, as affected by PL 1989, c.
24 890, Pt. A, §40 and amended by Pt. B, §165, is further amended to
read:

26 2-A. Testing results. The results of all tests required
28 under this section must be submitted to the commissioner and to
30 the municipal officers, or their designees, of the municipality
32 within which the facility is located or, in the case of a
facility located within an unorganized territory or plantation,
the county commissioners, or their designees, within 30 days of
testing.

34 Sec. 3. 38 MRSA §590-B, sub-§§5 and 6 are enacted to read:

36 5. Dioxin defined. As used in this section, the term
38 "dioxin" means any polychlorinated dibenzo-para-dioxins and any
polychlorinated dibenzo-para-furans.

40 6. Long-term health effects; study; monitoring. Based on
42 the emissions data collected under this section and any other
44 available emissions data, the department, in cooperation with the
46 State Epidemiologist and the State Toxicologist, shall undertake
48 a study of the long-term human health effects attributable to the
emissions of resource recovery facilities. The department shall
assess all costs associated with the study as an annual fee
levied on all resource recovery facilities in proportion to the
quantity of waste disposed of at the facilities.

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STATEMENT OF FACT

4 The bill requires continuous monitoring of air emissions in
6 order to detect the release of unacceptable levels of dioxin from
8 solid waste incinerators. The bill also requires daily testing
10 for emissions of heavy metals. The Department of Environmental
12 Protection is required to undertake a study of long-term health
14 effects that may be attributable to solid waste incineration.
The department is directed to cooperate with the State
Toxicologist and the State Epidemiologist in the Department of
Human Services in the conduct of the study. All study costs are
assessed to the waste incinerators in proportion to the amount of
waste burned at these facilities.