

# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

## SECOND REGULAR SESSION-1992

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Legislative Document

No. 2080

H.P. 1468

House of Representatives, January 7, 1992

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.  
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 ANDERSON of Woodland.

Cosponsored by Senator BALDACCI of Penobscot, Representative LORD of Waterboro and  
Representative GOULD of Greenville.

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STATE OF MAINE

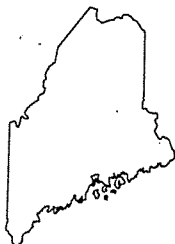
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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY-TWO

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**An Act to Promote the Beneficial Use of Industrial Residuals.**

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

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4       **Sec. 1. 38 MRSA §1302**, as repealed and replaced by PL 1989,  
c. 585, Pt. E, §2, is amended by inserting before the last  
6 paragraph a new paragraph to read:

8       Because environmentally suitable sites for waste disposal  
are in limited supply and because many industrial residuals are  
10 currently being unnecessarily disposed of in landfills, the  
Legislature finds and declares that the beneficial use of  
12 industrial residuals must be encouraged. Using waste for another  
purpose lengthens the lives of secure landfills, which are a  
14 critical natural resource and is consistent with the State's  
solid waste management priorities.

16       **Sec. 2. 38 MRSA §1303-C, sub-§2-A** is enacted to read:

18       2-A. Beneficial use of industrial residuals. "Beneficial  
use of industrial residuals" means the controlled combustion of  
20 industrial residuals by the generators of the residuals or the  
sale or distribution of those residuals other than for  
22 incineration.

24       **Sec. 3. 38 MRSA §1303-C, sub-§16-A** is enacted to read:

26       16-A. Industrial residuals. "Industrial residuals" means  
nonhazardous industrial process wastes, including pulp and paper  
28 mill wastewater treatment plant sludges, lime and bark.

30       **Sec. 4. 38 MRSA §1303-C, sub-§§21 and 22**, as enacted by PL  
1989, c. 585, Pt. E, §4, are amended to read:

32       **21. Recycle.** "Recycle" means to recover, separate, collect  
34 and reprocess waste materials for sale or reuse other than use as  
a fuel for the generation of heat, steam or electricity  
36 electricity. "Recycle" means to make beneficial use of  
industrial residuals.

38       **22. Recycling.** "Recycling" means the collection,  
40 separation, recovery and sale or reuse of materials that would  
otherwise be disposed of or processed as waste or the mechanized  
42 separation and treatment of waste, other than through combustion,  
and the creation and recovery of reusable materials other than as  
44 a fuel for the generation of electricity. "Recycling" means to  
make beneficial use of industrial residuals.

46       **Sec. 5. 38 MRSA §1308**, as amended by PL 1973, c. 788, §213,  
48 is repealed and the following enacted in its place:

2 **§1308. Exemptions**

4 **1. Exempted facilities.** Rules adopted pursuant to this  
6 chapter concerning the location, establishment and construction  
8 of solid waste disposal facilities, but not concerning alteration  
10 or operation, do not affect facilities in existence prior to  
12 October 3, 1973.

14 **2. Stump dumps.** Landscape refuse and fill disposal sites  
16 established in connection with public works projects and commonly  
18 known as "stump dumps" are exempt from this chapter.

20 **3. Land application.** The land application, sale or  
22 distribution of industrial residuals, other than pulp and paper  
24 mill wastewater treatment plant sludge, is not subject to the  
26 department's solid waste management or land application permit  
28 requirements.

30 **Sec. 6. 38 MRSA §2101, sub-§1,** as enacted by PL 1989, c. 585,  
32 Pt. A, §7, is amended to read:

34 **1. Priorities.** It is the policy of the State to plan for  
36 and implement an integrated approach to solid waste management,  
38 which shall must be based on the following order of priority:

40 A. Reduction of waste generated at the source, including  
42 both amount and toxicity of the waste;

44 B. Reuse of waste;

46 C. Recycling of waste, including the beneficial use of  
48 industrial residuals;

50 D. Composting of biodegradable waste;

E. Waste processing which that reduces the volume of waste  
needing land disposal, including incineration; and

F. Land disposal of waste.

42 **STATEMENT OF FACT**

44 This bill encourages the beneficial use of industrial  
46 residuals by adding the beneficial use of industrial residuals to  
48 the laws regarding waste management recycling. It also exempts  
50 the land application of certain industrial residuals, with the  
exception of pulp and paper mill wastewater treatment plant  
sludges, from the Department of Environmental Protection permit  
requirements.