

# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

## SECOND REGULAR SESSION-1992

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Legislative Document

No. 2285

H.P. 1622

House of Representatives, February 4, 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 SKOGLUND of St. George.

Cosponsored by Representative GRAY of Sedgwick, Senator GOULD of Waldo and Representative CARROLL of Southwest Harbor.

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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 Concerning Landfill Operation on Certain Islands and to Correct  
an Error in the Landfill Operation Laws.**

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

4 **Sec. 1. 38 MRSA §1310-D, first ¶,** as enacted by PL 1987, c.  
517, §25, is repealed and the following enacted in its place:

6 The provisions of this article govern open-municipal solid  
7 waste landfills.

8 **Sec. 2. 38 MRSA §1310-D, sub-§3, ¶A,** as amended by PL 1991, c.  
10 374, §4 and repealed and replaced by c. 519, §5, is repealed and  
the following enacted in its place:

12 A. Within 90 days of the receipt of a landfill evaluation,  
14 together with the recommendations for closure and, if any,  
16 remediation actions, the commissioner shall issue an order  
18 for closure and, if appropriate, remediation. This order  
20 must specify the use of compost or reclaimed soil materials  
22 for landfill cover to the maximum extent practical and  
consistent with sound environmental practices. Subject to  
sections 1310-F and 1310-G, a timetable for implementation  
and all pertinent cost-sharing must be included as part of  
the order.

24 **Sec. 3. 38 MRSA §1310-D, sub-§6** is enacted to read:

26 6. Exempt. An island that is not connected to the mainland  
28 by a bridge, causeway or any other structure providing passage to  
the island is exempt from this section.

30 **STATEMENT OF FACT**

32 This bill exempts islands that are not connected to the  
34 mainland from the law requiring closure of existing landfills.  
The bill also corrects a conflict created by 2 public laws  
36 amending the same section.