

# MAINE STATE LEGISLATURE

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# 116th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1993

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Legislative Document

No. 271

H.P. 209

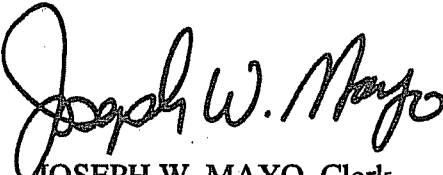
House of Representatives, February 2, 1993

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**An Act to Encourage the Recycling of Tires from Municipal Landfills.**

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Reference to the Committee on Energy and Natural Resources suggested and ordered printed.

  
JOSEPH W. MAYO, Clerk

Presented by Representative JACQUES of Waterville.  
Cosponsored by Senator BALDACCI of Penobscot and  
Representatives: PLOWMAN of Hampden, SAXL of Bangor.

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

2  
3  
4 **Sec. 1. 38 MRSA §2132, sub-§3**, as enacted by PL 1991, c. 492, §3, is amended to read:

6 **3. Beneficial use of waste.** The use of waste paper, used  
7 motor vehicle tires or corrugated cardboard as a fuel in  
8 industrial boilers for the generation of heat, steam or  
9 electricity constitutes recycling for the sole purpose of  
10 determining whether the goals in subsection 1 are met and if the  
11 wastes would otherwise be placed in a landfill, the office  
12 determines that there is no reasonably available market in the  
13 State for recycling that waste and if the wastes are incinerated  
14 as a substitute for, or supplement to, fossil or biomass fuels  
15 that constitute the primary fuels incinerated in the industrial  
16 boiler.

18 **Sec. 2. 38 MRSA §2204, sub-§1**, as enacted by PL 1991, c. 517,  
19 Pt. B, §17, is amended to read:

20 **1. Landfill surcharge.** A disposal surcharge of \$4 per ton  
21 is assessed on any municipal solid waste disposed of at a  
22 commercial landfill facility. For the purpose of this  
23 subsection, any solid waste disposed of pursuant to section 2132,  
24 subsection 3 is not subject to this surcharge.

26 **Sec. 3. 38 MRSA §2204, sub-§2, ¶B**, as enacted by PL 1991, c.  
27 517, Pt. B, §17, is amended to read:

30 B. Any solid waste generated within its jurisdiction that  
31 is delivered to a commercial solid waste facility or to a  
32 solid waste disposal facility owned by the agency or a  
33 regional association. Any solid waste delivered and  
34 utilized in the manner authorized by section 2132,  
35 subsection 3 is not subject to the fee imposed by this  
36 subsection.

38  
39 **STATEMENT OF FACT**

40  
41 Presently, municipalities are given credit toward their  
42 recycling goals for waste paper or corrugated cardboard that is  
43 used as a fuel source for industrial boilers, if such waste would  
44 otherwise be placed in a landfill, and the Office of Waste  
45 Reduction and Recycling determines that there is no reasonably  
46 available market in the State for recycling that waste. A number  
47 of municipal solid waste landfills throughout the State have a  
48 stockpile of discarded tires. There is presently no readily  
49 available market for the recycling of these discarded tires into  
50 a rubber compound that would be reused. There are facilities,

2 however, that now process discarded tires so that the product can  
3 be utilized as a fuel source for industrial boilers. This fuel  
4 source is now utilized by a number of state manufacturing  
5 companies as a substitute for or a supplement to fossil or  
6 biomass fuels.

7  
8 This bill will encourage municipalities to utilize this  
9 waste source that presently has no viable alternative use, while  
10 at the same time providing state manufacturers with a viable  
11 alternative fuel source and reducing this type of waste in  
12 municipal landfills. The bill specifically authorizes  
13 municipalities to count tires utilized in this manner toward the  
14 State goal of recycling 50% of municipal solid waste. The bill  
15 clarifies that a municipality will not be surcharged or assessed  
16 a per ton fee by the Maine Waste Management Agency for tires that  
have been disposed of in this manner.