

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 413

H.P. 325

House of Representatives, February 9, 1993

An Act to Extend the Deadline for Landfill Closures.

(EMERGENCY)

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

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative MITCHELL of Vassalboro.
Cosponsored by Senator CAREY of Kennebec and
Representatives: BOWERS of Washington, GOULD of Greenville, KILKELLY of Wiscasset,
MITCHELL of Freeport, POULIN of Oakland.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, municipalities require additional time to identify and implement options for managing municipal solid waste; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 38 MRSA §1310-N, sub-§6, as amended by PL 1991, c. 644, §1, is further amended to read:

6. Terms and compliance schedules. Licenses are issued under the terms and conditions as the department may prescribe, and for a term not to exceed 5 years. The department may establish reasonable time schedules for compliance with this article and rules adopted by the board. Notwithstanding any rules adopted pursuant to this section, licensed or unlicensed municipal solid waste landfills operating on December 31, 1991 may continue to operate until December 31, 1992 1993, unless the commissioner finds that continued operation of a landfill poses an immediate hazard to the public health or the environment, including without limitation, a threat to a public or private water supply. The commissioner may allow a licensed or unlicensed municipal solid waste landfill that was operating on December 31, 1991 to continue operating until June 30, 1994, if the commissioner determines that:

A. The municipality in which the landfill is located has formed a committee to study options for municipal solid waste management;

B. The committee to study options has developed a written plan for implementing those options;

C. The municipality has expended money to maintain the landfill in the best operational condition possible; and

D. The municipality is moving toward compliance with the solid waste laws and rules adopted under this subchapter.

